IMPERIAL IDEOLOGY AND POLITICAL THOUGHT IN BYZANTIUM, 1204–1330

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CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press
The Edinburgh Building, Cambridge CB2 2RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9780521857031

First published 2007

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

ISBN-13 978-0-521-85703-1 hardback
ISBN-10 0-521-85703-1 hardback

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Preface

This project began as a doctoral dissertation submitted in 2002 to the History Department of Harvard University and was completed as a book at the Centre for Byzantine, Ottoman and Modern Greek Studies at the University of Birmingham. I am most indebted to my mentor at Harvard, Angeliki Laiou, who introduced me to the issues and sources of late Byzantine history, directed the doctoral dissertation with great care, and offered me a great many useful comments as well as constructive criticism. Michael McCormick of Harvard University has discussed with me a number of points of conceptualization and detail, and his insistence on setting Byzantine civilization in a broader medieval context has been inspirational. John Duffy of Harvard University taught me Greek paleography and assisted me significantly in the study of unpublished manuscript material. I conducted a substantial portion of the research at the Dumbarton Oaks Center for Byzantine Studies in Washington, DC, where I held a Junior Fellowship in the years 1999–2000, and I have benefited from its library resources.

The book could hardly have been completed without the generous postdoctoral grant I have been awarded by the European Commission in the form of a two-year Marie Curie Fellowship at the Centre for Byzantine, Ottoman and Modern Greek Studies, Institute of Archaeology and Antiquity, University of Birmingham. I should like to thank the History Department at Western Michigan University for its unreserved support for my research when granting me a leave and thus enabling me to take residence in Birmingham. Since its foundation in 1970–71 the Centre for Byzantine, Ottoman and Modern Greek Studies in Birmingham has grown into a leading research institution, providing excellent conditions and a creative atmosphere for the cultivation of Byzantine studies. I have always benefited from my conversations with Anthony Bryer, the Centre's co-founder, and have been fortunate to have as my colleague at the Centre Ruth Macrides, with whom I discussed innumerable issues related to the

Dimitris Kastritsis, Adam Kosto, Paul Magdalino, Joseph Munitiz, Ihor Ševčenko, Kostis Smyrlis, and Alice-Mary Talbot, each of whom has contributed in his or her own unique way with comments and suggestions to the final shape of this book. I am grateful to Henry Buglass, graphic artist at the Institute of Archaeology and Antiquity at the University of Birmingham, for helping me in the production of the maps.

Finally I should express my immeasurable debt to my late grandfather, Dimiter S. Angelov, whose story-telling talent, erudition, and love for the past first kindled in me a passion for history at an age when I could hardly comprehend the meaning of complex concepts such as "ideology" or "political thought."

Birmingham
April 2005

A note on style

This book is based on the study of a large body of texts, some of which are found in rare editions or are unpublished. The decision whether or not to quote the Greek has been made on a case-by-case basis. In the footnotes I have quoted passages or phrases from the sources whenever I have deemed that such quotations could help to illustrate better my argument. This approach has the virtue of making explicit for the reader the basis of some of the interpretations offered here. I have provided English translations of passages which are crucial or which pose difficulty. For the purpose of readability, I have avoided as much as possible the use of Greek characters in the main body of the text; Greek has been confined to the footnotes. I have adhered to the practice, now standard in the field of Byzantine studies, of transcribing Byzantine names and not latinizing them: thus Palaiologos, not Palaeologus; Athanasios, not Athanasius. In the case of Byzantine court titles and offices, I have attempted to strike a compromise between truthful rendition and conventional, reader-friendly English usage. I have offered a transcription of most titles, such as *mesazon, sebastokrator* or *dikaiophylax*. Sometimes a felicitous English rendition has been possible, in which case I have opted to use an anglicized equivalent of the Byzantine court office or title: for example, grand logothete instead of *megas logothetes*; grand constable instead of *megas konostaulos*. The only Byzantine court title which I have consistently capitalized is that of Despot (*despotes*). The reason for this is that the Despot was the second highest title-holder in the court hierarchy after the emperor; the rulers of Epiros titled themselves Despots during most of the history of this autonomous successor state to the Byzantine empire.

All references to the Old Testament follow the nomenclature and numeration of the Greek Septuagint. Classical authors are cited according to H. G. Liddell, R. Scott and S. Stuart Jones, *A Greek–English Lexicon*, 9th edn (Oxford, 1940), and the standard editions. The transliteration of bibliography entries published in Slavic languages using the Cyrillic alphabet is based on the Library of Congress transliteration system.

Abbreviations

AG	J. Boissonade, *Anecdota graeca e codicibus regiis*. 5 vols. Paris, 1829–1833. repr. Hildesheim, 1962
Agapetos the Deacon	R. Riedinger, *Agapetos Diakonos. Der Fürstenspiegel für Kaiser Iustinianos*. Athens, 1995
Akropolites I, II	*Georgii Acropolitae opera*. 2 vols. ed. A. Heisenberg and P. Wirth. Leipzig, 1973
B	*Byzantion*
Basilika	*Basilicorum libri LX*, series A, 8 vols. ed. H. Scheltema et N. van der Wal. Groningen, 1953–88
BF	*Byzantinische Forschungen*
Blemmydes, *Imperial Statue*	H. Hunger and I. Ševčenko, *Des Nikephoros Blemmydes Βασιλικὸς Ἀνδριάς und dessen Metaphrase von Georgios Galesiotes und Georgios Oinaiotes*. Vienna, 1986
BMGS	*Byzantine and Modern Greek Studies*
BNJ	*Byzantinisch-neugriechische Jahrbücher*
BSHAR	*Bulletin de la section historique de l'Académie Roumaine*
BSl	*Byzantinoslavica*
BZ	*Byzantinische Zeitschrift*
Chilandar	*Actes de Chilandar*, I, ed. M. Živojinović, V. Kravari and C. Giros. *Archives de l'Athos* 20. Paris, 1998
Chilandar, ed. Petit	*Actes de Chilandar*, ed. L. Petit and B. Korablev. St. Petersburg, 1911; repr. Amsterdam, 1975

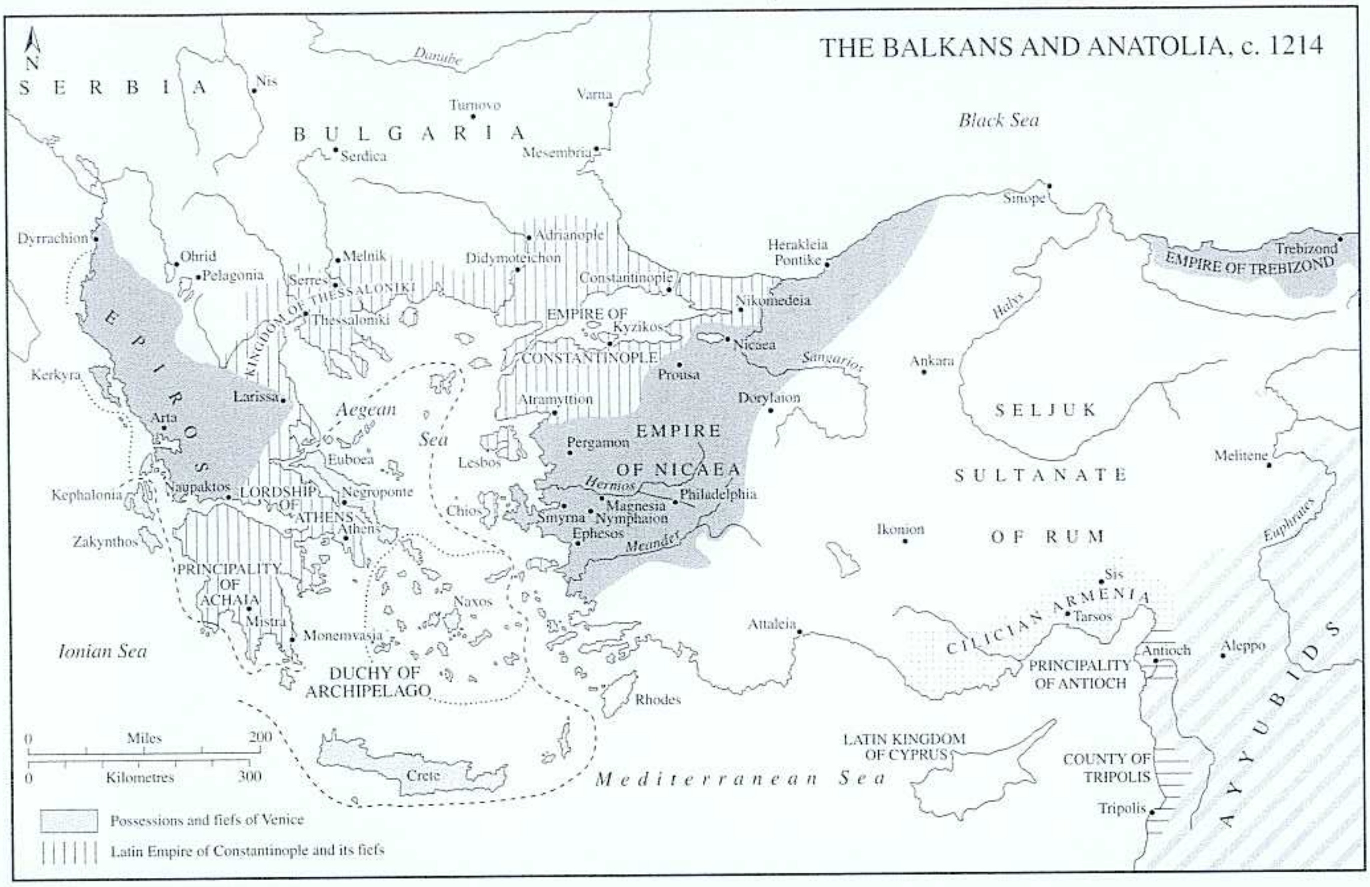
Chomatenos, ed. Pitra	J. Pitra, *Analecta sacra et classica Spicilegio Solesmensi parata*. vol. 6. Paris and Rome, 1891; repr. Farnborough, 1967
Chomatenos, ed. Prinzing	G. Prinzing, *Demetrii Chomateni Ponemata diaphora*. Berlin, 2002
Choniates, *Orationes*	J.-L. van Dieten, *Nicetae Choniatae orationes et epistulae*. Berlin and New York, 1973
Correspondence of Athanasius	*The Correspondence of Athanasius I, Patriarch of Constantinople*, ed. A.-M. Talbot, Washington, 1975
CSHB	*Corpus Scriptorum Historiae Byzantinae*. 50 vols. Bonn, 1828–97
Darrouzès, *Regestes*	J. Darrouzès, *Les Regestes des actes du Patriarcat de Constantinople*. Vol. 1: *Les actes des patriarches*, fasc. 5: *Les Regestes de 1310 à 1376*. Paris, 1977
Dionysiou	*Actes de Dionysiou*, ed. N. Oikonomides. *Archives de l'Athos* 4. Paris, 1968
DOC	*Catalogue of the Byzantine Coins in the Dumbarton Oaks Collection and in the Whittemore Collection*, 5 vols. Washington, 1966–99
Docheiariou	*Actes de Docheiariou*, ed. N. Oikonomides. *Archives de l'Athos* 13. Paris, 1984
Dölger, *Regesten*	*Regesten der Kaiserurkunden des oströmischen Reiches von 565–1453*. vol. 2: *Regesten von 1025–1204*, ed. F. Dölger, Munich, 1925 vol. 3: *Regesten von 1204–1282*, ed. F. Dölger; rev. edn. P. Wirth. Munich, 1977 vol. 4: *Regesten von 1282–1341*, ed. F. Dölger. Munich, 1960 vol. 5: *Regesten von 1341–1453*, ed. F. Dölger and P. Wirth. Munich, 1965
DOP	*Dumbarton Oaks Papers*
EEBS	Ἐπετηρὶς Ἑταιρείας Βυζαντινῶν Σπουδῶν
EO	*Échos d'Orient*
EPh	Ἐκκλησιαστικὸς Φάρος

Esphigmenou	*Actes de Esphigménou*, ed. J. Lefort. *Archives de l'Athos* 6. Paris, 1973
Gautier, *Théophylacte d'Achrida*	*Théophylacte d'Achrida. Discours, Traités, Poésies*, ed. P. Gautier, vol. 1. Thessaloniki, 1980
Geanakoplos, *Michael VIII*	D. Geanakoplos, *Emperor Michael Palaeologus and the West, 1258–1282: A Study in Byzantine-Latin Relations*. Cambridge, MA, 1959
GdSAI	*Giornale della Società Asiatica Italiana*
Gregoras I, II, III	*Nicephori Gregorae Byzantina historia*, 3 vols, ed. L. Schopen. CSHB. Bonn, 1829–55
Guillou, *Ménécée*	*Les archives de Saint-Jean-Prodrome sur le mont Ménécée*, ed. A. Guillou. Paris, 1935
Heisenberg, *Neue Quellen*, I, II and III	A. Heisenberg, *Neue Quellen zur Geschichte des lateinischen Kaisertums und der Kirchenunion*. Munich, 1922–23 Vol. 1: *Der Epitaphios des Nikolaos Mesarites auf seinen Bruder Johannes* Vol. 2: *Die Unionsverhandlungen vom 30. August 1206, Patriarchenwahl und Kaiserkrönung in Nikaia 1208* Vol. 3: *Der Bericht des Nikolaos Mesarites über die politischen und kirchlichen Ereignisse des Jahres 1214*
Heisenberg, *Palaiologenzeit*	A. Heisenberg, *Aus der Geschichte und Literatur der Palaiologenzeit*. Munich, 1920
Hexabiblos, ed. K. Pitsakes	*Κωνσταντίνου Ἀρμενοπούλου Πρόχειρον νόμων ἢ Ἑξάβιβλος*, ed. K. Pitsakes. Athens, 1971
Holobolos, *Orationes*	M. Treu, *Manuelis Holoboli orationes*. Potsdam, 1906/1907
IRAIK	*Izvestiia Russkago Arkheologicheskago Instituta v Konstantinopole*
Iviron III	*Actes d'Iviron*. vol. 3, ed. J. Lefort, N. Oikonomides, D. Papachryssanthou, V. Kravari and H. Métrévéli. *Archives de l'Athos* 18. Paris, 1994

Jacob of Bulgaria	Λόγος προσφωνητικός, in S. Mercati, *Collectanea Byzantina*. vol. 1. Bari, 1970, 81–93
JÖB	*Jahrbuch der Österreichischen Byzantinistik* (until 1968 issued as *Jahrbuch der Österreichischen Byzantinischen Gesellschaft*)
Kantakouzenos I, II, III	*Ioannis Cantacuzeni eximperatoris historiarum libri IV*, 3 vols., ed. L. Schopen. CSHB. Bonn, 1831–32
Kekaumenos	G. Litavrin, *Sovety i rasskazy Kekavmena*. Moscow, 1972
Kourouses, "Galesiotes"	S. Kourouses, "Ἡ πρώτη ἡλικία καὶ ἡ πρώϊμος σταδιοδρομία τοῦ πρωτεκδίκου καὶ σακελλίου τῆς μεγάλης ἐκκλησίας Γεωργίου Γαλησιώτου (1278/80–1357/;)," Ἀθηνᾶ 75 (1974–75), 335–374
Laiou, *Constantinople and the Latins*	A. Laiou, *Constantinople and the Latins: The Foreign Policy of Andronicus II, 1282–1328*. Cambridge, MA, 1972
Lampenos, *Encomium*	I. Polemis, *Ὁ λόγιος Νικόλαος Λαμπηνὸς καὶ τὸ ἐγκώμιον αὐτοῦ εἰς τὸν Ἀνδρόνικον Β΄ Παλαιολόγον*. Athens, 1992
Laurent, *Regestes*	V. Laurent, *Les Regestes des actes du Patriarcat de Constantinople*, vol. 1: *Les actes des patriarches*, fasc. 4: *Les Regestes de 1208 à 1309*. Paris, 1971
Lavra II, III	*Actes de Lavra*, vols. 2 and 3, ed. P. Lemerle, A. Guillou, N. Svoronos and D. Papachryssanthou. *Archives de l'Athos* 8, 10. Paris, 1977–79
Magistros, *On Kingship*	P. Cacciatore, *Toma Magistro. La regalità*. Naples, 1997
MB	K. Sathas, *Μεσαιωνικὴ Βιβλιοθήκη*. 7 vols. Venice, 1872–1894, repr. Hildesheim and New York, 1972
Metochites, *Miscellanea*	G. Müller and T. Kiessling, *Miscellanea philosophica et historica*. Leipzig, 1821, repr. Amsterdam, 1966
MGH	*Monumenta Germaniae Historica*

MM	F. Miklosich and J. Müller, *Acta et diplomata graeca medii aevi sacra et profana*, 6 vols. Vienna, 1860–90, repr. Aalen, 1968
Nicephori Blemmydae Autobiographia	J. Munitiz, *Nicephori Blemmydae autobiographia sive curriculum vitae necnon epistula universalior*. Turnhout and Leuven, 1984.
OCA	*Orientalia Christiana Analecta*
OCP	*Orientalia Christiana Periodica*
ODB	*Oxford Dictionary of Byzantium*, ed. A. Kazhdan. Washington, 1991
Pachymeres I.i, I.ii	George Pachymeres, *Relations historiques*, vols. I and II, ed. A. Failler, trans. V. Laurent. Paris, 1984
Pachymeres II.iii, II.iv	George Pachymeres, *Relations historiques*, vols. III and IV, ed. and trans. A. Failler, Paris, 1999
Panteleimon	*Actes de Saint-Pantélèèmôn*, ed. P. Lemerle, G. Dagron and S. Ćirković. *Archives de l'Athos* 12. Paris, 1982
Papadopoulos-Kerameus, *Analekta*	A. Papadopoulos-Kerameus, Ἀνάλεκτα Ἱεροσολυμιτικῆς σταχυολογίας, 5 vols. St. Petersburg, 1891–98, repr. Brussels, 1963.
PG	J. P. Migne, *Patrologiae cursus completus, series graeca*. 161 vols. Paris, 1857–1866
Philotheou	*Actes de Philothée*, ed. V. Regel, E. Kurtz and B. Korablev. St. Petersburg, 1913, repr. Amsterdam, 1975
Planoudes, "Basilikos"	L. Westerink, "Le basilikos de Maxime Planude," BSl 27 (1966), 98–103; 28 (1967), 54–67; 29 (1968), 34–50
PLP	*Prosopographisches Lexikon der Palaiologenzeit*, 12 vols, ed. E. Trapp et al. Vienna, 1976–96
Previale, "Un panegirico inedito"	L. Previale, "Un panegirico inedito per Michele VIII Paleologo," BZ 42 (1943–49), 1–49
Protaton	*Actes du Prôtaton*, ed. D. Papachryssanthou. Archives de l'Athos, 7. Paris, 1975

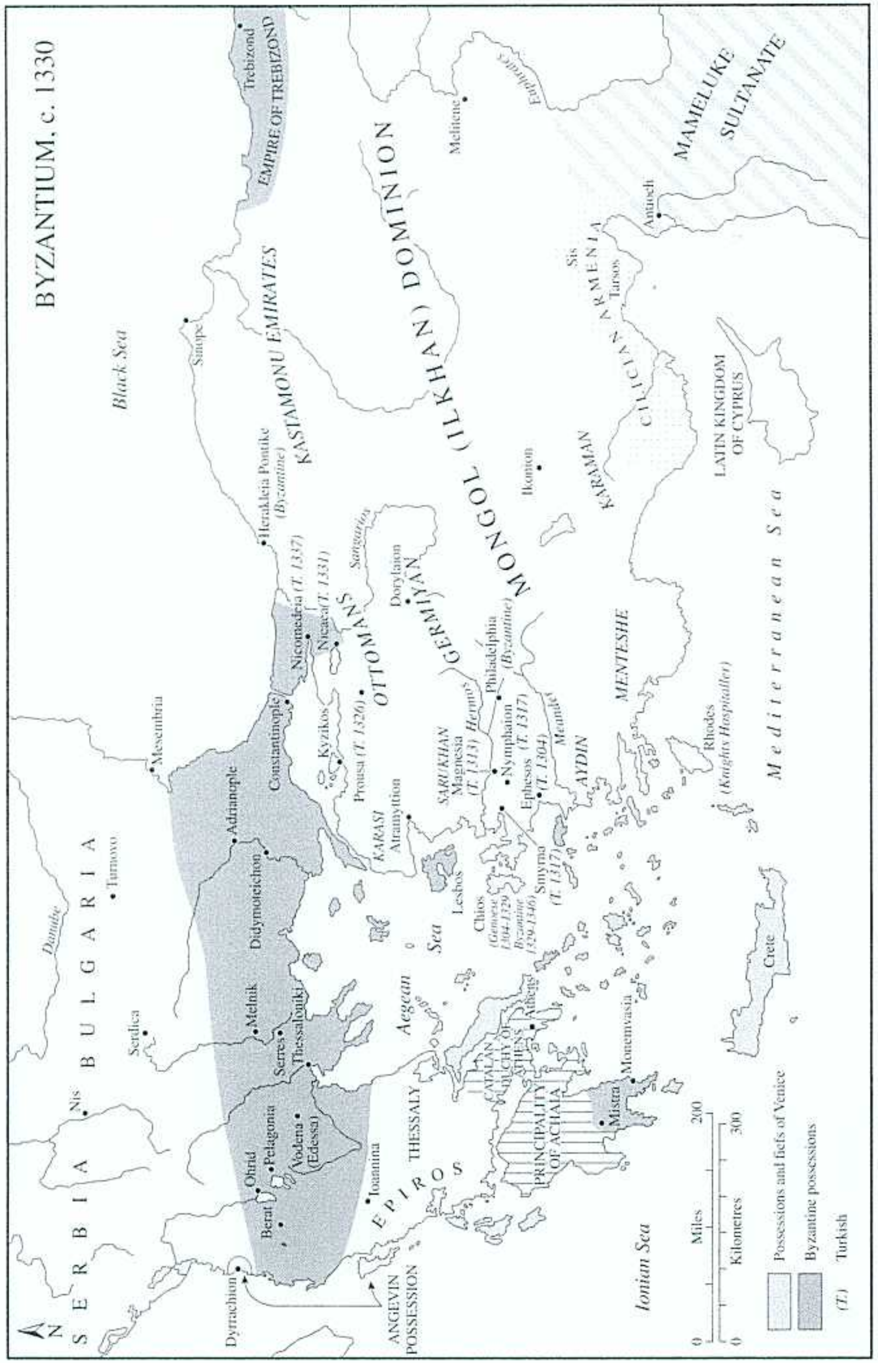
Pseudo-Basil	K. Emminger, *Studien zu den griechischen Fürstenspiegeln*, III, Βασιλείου κεφάλαια παραινετικά. Munich, 1913
Pseudo-Kodinos	J. Verpeaux, *Pseudo-Kodinos: Traité des Offices*. Paris, 1966
REB	*Revue des Études Byzantines*
Regel and Novosadskii, *Fontes*	V. Regel and N. Novosadskii, *Fontes Rerum Byzantinarum. Rhetorum saeculi XII orationes politicae*. St. Petersburg, 1892–1917, repr. Leipzig, 1982
Rhalles-Potles	G. Rhalles and M. Potles, Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων, 6 vols. Athens, 1852–59, repr. Athens, 1992
SK	*Seminarium Kondakovianum*
Theodori Ducae Lascaris Epistulae	N. Festa, *Theodori Ducae Lascaris epistulae CCXVII*. Florence, 1898
Theodore II, *Encomio*	L. Tartaglia, *Teodoro II Duca Lascari. Encomio dell'imperatore Giovanni Duca*. Naples, 1990
TM	*Travaux et Mémoires*
Vatopedi	*Actes de Vatopédi*, I, ed. J. Bompaire, J. Lefort, V. Kravari and C. Giros. *Archives de l'Athos* 21. Paris, 2001
VV	*Vizantiiskii Vremennik*
Walz, *Rhetores Graeci*	C. Walz, *Rhetores Graeci*. 9 vols. Stuttgart, 1832–36
Xeropotamou	*Actes de Xéropotamou*. ed. J. Bompaire. *Archives de l'Athos* 3. Paris, 1964
Zepos, JGR	P. and I. Zepos, *Jus Graecoromanum*, 8 vols. Athens, 1931, repr. Aalen, 1962
Zographou	*Actes de Zographou*, ed. V. Regel, K. Kurtz and B. Korablev. St. Petersburg, 1907, repr. Amsterdam, 1969
ZRVI	*Zbornik Radova Vizantološkog Instituta*



Map 1. The Balkans and Anatolia, c. 1214



Map 2. Byzantium, c. 1265



Map 3. Byzantium, c. 1330

Introduction

This book is a study of imperial ideology and political thought in Byzantium after the watershed in its history caused by the Latin conquest of the city of Constantinople, New Rome, in the year 1204. The dichotomy imperial ideology vs. political thought is deliberate and purposeful. It reflects the approach of this study toward a large and diverse body of Byzantine political literature, consisting of rhetorical, theoretical, and ecclesiastical texts which all share the common subject of imperial rulership. Our principal goal is to explore the correspondence, tensions, and rifts between official ideology of kingship, on the one hand, and ideas of imperial governance formulated at a semi-official or independent level, on the other, during a period of unparalleled political and financial crisis facing Byzantium. We will examine a set of competing political ideas; some of them were traditional and conventional for the empire of New Rome, while others were novel, occasionally reformist, and always relevant to the new political realities in the aftermath of the Fourth Crusade.

The study is promising not only because of the considerable quantity of political writing which has so far attracted a relatively scant scholarly attention. An arresting historical problem stands at the crux of the discussion in the following chapters: the manner in which Byzantine political imagination responded to the trauma of the loss of Constantinople and to the post-1204 historical realities. How did the Byzantines accommodate themselves mentally to the political reality of Byzantium as a small and fragmented state, a second-rate power in the politics of the Eastern Mediterranean? The writings of a remarkable constellation of literati – propagandists and court rhetoricians, theorists and authors of advice tracts, historians and ecclesiastics – open a window into Byzantine political imagination, and its limits, in a period when the empire lost the extensive territory, international prestige, and wealth which it had once enjoyed, especially during the reigns of such emperors as Justinian I (527–65), Basil II (976–1025), and Manuel I Komnenos (1143–80). Indeed, this book is as much about the evolution

of state ideology as it is about the opinions and perspectives of individual Byzantine authors, who left their strong personal imprint on courtly genres that mandated adherence to tradition rather than original thought.

The methodology employed in the following chapters is both literary and historical. We will extrapolate ideas exclusively from written texts. In other words, pictorial representations of the emperor (on coins and in wall painting) and court ceremonies – sources which, too, shed light on imperial ideology – will be used only occasionally, mostly when they complement the analysis of the written sources. In addition, we will make no attempt to distill ideology from imperial policies, for our interest lies in the articulated political thinking and vocabulary of the Byzantines themselves.[1] Our methodology is also decidedly historical. One can form a comprehensive understanding of political ideas only when setting them in a concrete historical context. At the outset, therefore, it is helpful to familiarize the reader with the hallmarks of the empire's political history in the thirteenth and the early fourteenth century. We should bear in mind that this introduction is brief and sketchy.[2] Each chapter will provide further historical context as relevant.

The year 1204 pitted Byzantium against unprecedented political division. In the wake of the fall of Constantinople the imperial territories that eluded Latin conquest – and in some cases that had seceded from the empire before the arrival of the crusader armies – fell into the hands of a multitude of Greek lords.[3] The three most important successor states to Byzantium formed in the thirteenth century were the empires of Nicaea and Trebizond in Asia Minor and the principality (briefly an empire) of Epiros in the Balkans. The states of Nicaea, Trebizond, and Epiros each claimed at a certain point of their history to be the legitimate successor to Byzantium and had a ruler bearing the title of emperor of the Romans. Of the three splinter states, the empire of Nicaea (1204–61) was by far the most successful one. The founder of the Nicaean empire Theodore I Laskaris (1205–21) was a talented Byzantine general who had married before 1204 a daughter of Emperor Alexios III Angelos (1195–1203) and had been

[1] For the of use of artistic evidence as a source on the state ideology of the empire of Trebizond, see A. Eastmond, *Art and Identity in Thirteenth-Century Byzantium: Hagia Sophia and the Empire of Trebizond* (Aldershot, 2004).

[2] For detailed accounts of political events in the period, see A. Gardner, *The Lascarids of Nicaea: The Story of an Empire in Exile* (London, 1912); D. Nicol, *The Last Centuries of Byzantium, 1261–1453*, 2nd edn (Cambridge, 1993); D. Geanakoplos, *Emperor Michael Palaeologus and the West, 1258–1282: A Study in Byzantine–Latin Relations* (Cambridge, Mass., 1959); Laiou, *Constantinople and the Latins*.

[3] N. Oikonomides, "La décomposition de l'empire byzantin à la veille de 1204 et les origines de l'empire de Nicée: à propos de la *Partitio Romaniae*," in *XVe Congrès d'Études Byzantines. Rapports et co-rapports*, vol. 1 (Athens, 1976), 1–28 (repr. in *Byzantium from the Ninth Century to the Fourth Crusade* (Aldershot, 1992), Study XX).

given the high honorific title of Despot. Laskaris slipped away from Constantinople shortly before the Latin conquest and managed to carve out a small principality despite an inauspicious beginning as a state-builder; the first episode of his activities in Asia Minor mentioned by the sources was the refusal of the citizens of Nicaea to admit him into their city.[4] In 1205, in the city of Nicaea, he was proclaimed emperor and in 1208 was officially crowned in an ecclesiastical ceremony. Theodore I's son-in-law and successor, the emperor John III Vatatzes (1221–54), reconquered large territories in the Balkans, including the important city of Thessaloniki in 1246. His son and successor Theodore II Laskaris (1254–58) withstood successfully the counteroffensive of the Bulgarians in the years 1254–55. In 1261 Michael VIII Palaiologos (1259–82), a general who usurped power from the Laskarid dynasty, recaptured Constantinople and moved the seat of the empire back into the old imperial capital. Nonetheless, the Nicaean state and the restored empire of the Palaiologoi never managed to reunite fully the disparate pieces of the fragmented Byzantine world. Large areas formerly belonging to Byzantium escaped imperial control. Not only did many Aegean and Ionian islands and a sizeable portion of mainland Greece remain under Latin dominion, but soon after 1300 almost the whole of Asia Minor was lost to the Turks. In the early fourteenth century Andronikos II Palaiologos (1282–1328) oversaw the transformation of Byzantium into a small Balkan state. The Nicaean and the Palaiologan empires thus had to coexist not only with foreign powers' domination over former Byzantine territories, but also with the rival Byzantine states of Epiros and Trebizond. In the long run, the rulers of Epiros and Trebizond acquiesced to demands that they abandon their claims to the Byzantine imperial title and had to settle, in 1242 and 1282 respectively, for the lesser title of Despot, the second in the court hierarchy of titles after that of the emperor, but nevertheless they were to remain masters of independent territorial states.[5]

The reconstituted imperial office after 1204 was a historical and symbolic bridge to the empire of the twelfth century. The emperors in the later period continued to enjoy the same wide-ranging prerogatives as before

[4] Akropolites I, 10–11.

[5] G. Prinzing, "Das Byzantinische Kaisertum im Umbruch zwischen regionaler Aufspaltung und erneuter Zentralisierung in den Jahren 1204–1282," in R. Gundlach and H. Weber (eds.), *Legitimation und Funktion des Herrschers vom ägyptischen Pharao zum neuzeitlichen Diktator* (Stuttgart, 1992), 129–83. Between 1282 and 1360 the ruler of Trebizond reassumed the imperial title, although in a modified version less offensive to the masters of Constantinople: in the second half of the fourteenth century he styled himself as "emperor of the entire Orient, the Iberians and Perateia, the Grand Komnenos." See N. Oikonomides, "The Chancery of the Grand Komnenoi: Imperial Tradition and Political Reality," *Ἀρχεῖον Πόντου*, 35 (1979), 299–332, esp. 321–30.

and in practice ruled more or less as absolute monarchs. They still served as commanders-in-chief, presided over the highest civil law court, the imperial tribunal, redistributed the state's tax resources, and retained traditional powers in ecclesiastical administration, such as appointing and investing the ecumenical patriarch of Constantinople (seated in Nicaea between 1208 and 1261).[6] In the eleventh and increasingly during the twelfth century the imperial office had begun to make widespread use of the administrative system of economic privilege, whether through tax exemptions to individuals or through grants of *pronoia*, that is, conditional grants of tax-collecting rights over lands. As a method of governance, the system of privilege continued to exist after 1204.[7] In addition, the perennial problem of dynastic instability and frequent challenges to the throne persisted in late Byzantium (see table 3, pp. 120–21). In fact, all emperors in the thirteenth and the early fourteenth centuries except Theodore II Laskaris battled with rival claimants and rebels. Ironically, it was during his peaceful reign that the plot of Michael VIII Palaiologos and the aristocratic faction headed by him against the Laskarids gestated.

The late Byzantine aristocracy, with its strong awareness of noble lineage and a sense of entitlement to the imperial office, was a factor which no emperor in the period could afford to ignore. Ever since the reign of Alexios I Komnenos (1081–1118) blood and pedigree – the degree of kinship with the emperor in specific – had replaced institutions as the organizing principle in the hierarchy of court dignities. This was still the situation in the late Byzantine period, when the emperors relied heavily on their immediate and extended families in governing the empire.[8] Kinship alliances, however, were not always possible or desirable, as aristocratic groups proved a two-edged sword: they could undermine as well as bolster imperial authority. The Nicaean emperors John III Vatatzes and Theodore

[6] On the imperial tribunal see P. Lemerle, "Recherches sur les institutions judiciaires à l'époque des Paléologues. I. Le tribunal impérial," in *Pankarpeia. Mélanges Henri Grégoire* (Brussels, 1949), 369–84. On the powers of the imperial fisc see A. Kazhdan, "State, Feudal, and Private Economy in Byzantium," DOP 47 (1993), 83–100, esp. 95–100. On the extensive rights of the emperor in the church, see below chapter 11, 355 ff. The only emperor in the period who did not take part in campaigns was Andronikos II Palaiologos during the second half of his reign (1296–1328). See Laiou, *Constantinople and the Latins*, 86.

[7] On the system of economic privilege see N. Oikonomides, "The Role of the Byzantine State in the Economy," in A. Laiou (ed.), *The Economic History of Byzantium* (Washington, 2002), vol. 3, 972–1058, esp. 1039–58; N. Oikonomides, *Fiscalité et exemption fiscale à Byzance (IXe–XIe s.)* (Athens, 1996). On *pronoia* and the scholarly controversy this institution has generated see A. Kazhdan, "*Pronoia*: The History of a Scholarly Discussion," *Mediterranean Historical Review*, 10 (1995), 133–63.

[8] See N. Oikonomides, "L'évolution de l'organisation administrative de l'empire byzantin au XIe siècle (1025–1118)," TM, 6 (1976), 125–52, esp. 125–28; A. Laiou, "The Byzantine Aristocracy of the Palaeologan Period: A Story of Arrested Development," *Viator*, 4 (1973), 131–51.

II Laskaris attempted to prune the economic privileges and office-holding powers of the aristocracy, but these policies failed in the long run. After 1259, the Palaiologan clan ruled the empire until 1453 as their own family patrimony, even introducing for the first time in Byzantium's history the institution of territorial appanages that were granted to members of the immediate imperial family.[9]

The late Byzantine period naturally saw also some new tendencies in the prerogatives and nature of the imperial office. The Nicaean royal court was itinerant – the rulers regularly wintered in Nymphaion in Lydia and tended to spend the spring and summer in the capital city of Nicaea in Bithynia.[10] Most importantly, the legislative authority of the imperial office declined drastically during the thirteenth century. The emperors after 1204 seldom issued laws on civil matters, as they had done on numerous occasions during the early and the middle Byzantine period. An administrative order (*prostagma*) by Michael VIII Palaiologos concerning military requisitions and the novel drafted in October 1304 by the patriarch Athanasios I (1289–93, 1303–09) and his synod are the sole surviving pieces of new secular legislation from late Byzantium.[11] Significantly, the church, whose judicial role grew in the period, took the initiative to compose the novel of 1304 which remained known for posterity as the "novel of patriarch Athanasios." The church was also the recipient of a few imperial laws of general application concerning ecclesiastical matters.[12] Instead of general laws, the Byzantine emperors after 1204 preferred to issue privileges addressing a specific individual, city, monastery, bishopric, foreign dignitary, or urban community.

The ideological response to the events in 1204 has already drawn the attention of Byzantinists. Scholars have spotted both signs of continuity and change. Hélène Ahrweiler devoted part of her monograph on Byzantine political ideology throughout the centuries to the period after

[9] M. Angold, *A Byzantine Government in Exile: Government and Society under the Laskarids of Nicaea (1204–1261)* (Oxford, 1974), 60–79; J. Barker, "The Problem of Appanages in Byzantium during the Palaiologan Period," *Byzantina*, 3 (1971), 103–22.

[10] Akropolites I, 68.1–2, attributes the practice to John III Vatatzes, although it appears to date back to the beginning of the Nicaean period. See M. Hendy, *Studies in the Byzantine Monetary Economy, c. 300–1450* (Cambridge, 1985), 445.

[11] L. Burgmann and P. Magdalino, "Michael VIII on Maladministration," *Fontes Minores*, 6 (1984), 377–90; Zepos, JGR, vol. 1, 533–36. On the novel of Athanasios, see chapter 9, n. 50.

[12] Andronikos II issued two other novels and these concerned ecclesiastical administration (Dölger, *Regesten*, nos. 2040, 2159). All Palaiologan novels were thus closely associated with the church. See S. Perentidis, "Le terme 'Néara' sous les premiers Paléologues," *Subseciva Groningana. Studies in Roman and Byzantine Law*, vol. 4 (1990) (= *Novella Constitutio. Studies in Honour of Nicolaas van der Wal*), 163–76.

1204. Ahrweiler observed the emergence of "Greek and orthodox patriotism" during the Latin occupation of Constantinople, while she discussed in brief political ideology after the reconquest in 1261 under the rubric of "national utopia."[13] Ivan Duichev too observed an ideological shift, which, according to him, led to the disappearance of the sacral aura of the emperor.[14] Other scholars have preferred to stress the traditionalism of imperial ideology in the later period. John Meyendorff regarded continuity with late antiquity as the dominant feature in ideology in the period 1071–1261 and spoke of "a permanent crisis," which boiled down to an "ever-growing gulf separating myth and reality."[15] The most detailed study on Byzantine imperial ideology after 1204 is that of Alkmini Stavridou-Zafraka, who examined the ideological controversy between the empire of Nicaea and the principality of Epiros in the period 1204–30 over the legitimacy and eventual imperial coronation in 1227 of a rival Epirote ruler. Stavridou-Zafraka has shown that both Nicaea and Epiros continued to pay tribute to the tenets of Byzantine imperial ideology, had emperors whose power was legitimized in accordance with tradition, and presented as their political *raison d'être* the recapture of Constantinople from the Latins. Only some of the theories of political legitimacy put forth by the principal ideologue of the Epirote state, Demetrios Chomatenos, the archbishop of Ohrid, departed from traditional ideology, especially as Chomatenos tried to justify the simultaneous existence of two Byzantine emperors and two Byzantine empires outside the mother city of Constantinople.[16] Striking continuities with traditional imperial ideology have been observed even during the early fifteenth century, when the plight of the empire had reached its peak and the fall of Constantinople, fully encircled by the Turks, seemed close at hand.[17]

[13] H. Ahrweiler, *L'idéologie politique de l'Empire byzantin* (Paris, 1975), 103–28.

[14] I. Duichev, "Le grand tournant historique de l'an 1204," ZRVI, 16 (1975), 63–68; I. Duichev, *La crise idéologique de 1203–1204 et ses repercussions sur la civilisation byzantine* (Paris, 1976), *passim*, esp. 44. Duichev's unfounded hypothesis contradicts the evidence discussed here in chapter 2.

[15] J. Meyendorff, "Ideological Crises in Byzantium, 1071 to 1261," in Meyendorff, *The Byzantine Legacy in the Orthodox Church* (Crestwood, NY, 1982), 67–85.

[16] A. Stavridou-Zafraka, *Νίκαια και Ήπειρος τον 13° αιώνα. Ιδεολογική αντιπαράθεση στην προσπάθειά τους να ανακτήσουν την αυτοκρατορία* (Thessaloniki, 1990); eadem, "The Empire of Thessaloniki (1224–1242): Political Ideology and Reality," *Byzantiaka*, 19 (1999), 211–22. See also below n. 47. On the date of the imperial coronation of Theodore Komnenos Doukas, see E. Bee-Sepherle, "Ὁ χρόνος στέψεως τοῦ Θεοδώρου Δούκα ὡς προσδιορίζεται ἐκ ἀνεκδότων γρωαμμάτων Ἰωάννου τοῦ Ἀποκαύκου," BNJ 21 (1971–76), 272–79.

[17] H.-G. Beck, "Reichsidee und nationale Politik im spätbyzantinischen Staat," BZ, 53 (1960), 86–94; J.-L. van Dieten, "Politische Ideologie und Niedergang im Byzanz der Palaiologen," *Zeitschrift für Historische Forschung*, 6 (1979), 1–35, esp. 2–6.

Our examination has a more comprehensive scope than previous studies, focusing on official ideology and the larger and richer field of political ideas on kingship, including both secular and ecclesiastical thought. Accordingly, the discussion is divided into three sections: part I, "Official ideology", deals with the ideas of propagandists and panegyrists, part II, "The secular thinkers," focuses on political theories of governance outside the official context, and part III, "The ecclesiastics," examines the constitutional ideas of churchmen. Our study focuses on some hitherto little-known political authors, such as Theodore II Laskaris and Thomas Magistros, as well as on some better known ones, whose ideas have not been sufficiently explored. The chosen time span (1204–ca. 1330) is extensive enough to enable us to compare and contrast two distinct periods of the Byzantine restoration after 1204, the Nicaean empire in exile and the empire of the early Palaiologoi. The cut-off point (ca. 1330) has been chosen because it makes this comparison meaningful and feasible. This end point, although unrelated to issues of historical periodization, marks changes in the political and intellectual life of the late empire. The long reign of Emperor Andronikos II Palaiologos ended in 1328 as the elderly emperor was forced to resign from office, and with it the destructive First Civil War (1321–28) also came to an end. The civil war left Byzantium a weakened state. The city of Nicaea, with its symbolic importance as a one-time capital of the empire in exile, fell into the hands of the Ottoman Turks on 2 March 1331. Byzantine court culture underwent a transformation after Andronikos II's dethronement. The splendid flowering of court oratory during his reign came to an abrupt end under the new regime of his grandson Andronikos III.[18] In the second half of fourteenth century, as the financial and political weakness of the state reached a critical point, the emperor lost his monopoly of patronage of Byzantine literati; some of them sought patronage outside the empire, thus foreshadowing the exodus of Greek scholars to the West in the fifteenth century.[19] The year 1330 forms no absolute break point for our study, however, in the same way as it does not generally in the periodization of Byzantine history. While the investigation will be carried methodically and systematically up to this end point, we will have to refer on occasion to developments in the later Palaiologan period, especially with regard to ecclesiastical thought. The

[18] See chapter 1, p. 47.

[19] Cf. the conclusions of I. Ševčenko, "Society and Intellectual Life in the Fourteenth Century," *Actes du XIVe Congrès International des Études Byzantines*, vol. 1 (Bucharest, 1974), 69–92, esp. 81–83, 92.

in-depth analysis of political ideas on kingship in the years 1330–1453 will have to remain a desideratum.

Two important matters that require a preliminary introduction are the terminology we have adopted and the particular attention paid to rhetorical texts as the principal source on Byzantine political ideas. In the first place, to what extent are we justified in speaking of a field of "political thought" in Byzantium? This subject exceeds the scope and ambitions of a study limited to the later period of Byzantine history; nonetheless the issue is of paramount importance, especially as we shall make frequent use of the concept of political thought in subsequent chapters, and some tentative considerations become necessary. Second, what were the salient characteristics of late Byzantine political writing?

POLITICAL THOUGHT IN BYZANTIUM

Scholars have traditionally argued that the Byzantines lacked propensity for political theorizing and fell short of developing a discipline of political thought. The alleged absence of rival theories of politics, aside from the omnipresent and commonplace tenets of the monarchy, has served to support this skeptical interpretation.[20] Byzantine imperial ideology itself has been seen as static and unchanging after the formative period of late antiquity, and furthermore has been identified with the totality of Byzantine political thought.[21] The problem of whether or not Byzantium developed a native tradition of political thought has two different dimensions. First, we must ask ourselves whether the Byzantines regarded the intellectual investigation of politics as an autonomous sphere of inquiry. Second, of course, we should consider whether a modern critic may qualify the body of Byzantine political ideas as constituting "political thought" and, if this is the case, what the principal characteristics of this thought are.

For the Byzantines as well as for the ancients, the investigation of politics belonged to the discipline of philosophy. According to Aristotle's categorization of philosophy which was further elaborated in late

[20] See, for example, E. Barker, *Social and Political Thought in Byzantium* (Oxford, 1957), 1: "Byzantium did not produce any *original* political theory; nor did it trouble itself to discuss *rival* theories about the nature of the Empire" (emphasis in original).

[21] J. Bury, *The Constitution of the Later Roman Empire* (Cambridge, 1910), 38: "there was no need, in the Eastern Empire, to evolve theories, as nothing was in dispute"; W. Ensslin, "The Government and Administration of the Byzantine Empire," in J. Hussey (ed.), *The Cambridge Mediaeval History*, vol. IV, 2 (Cambridge, 1967), 18: "The Byzantines themselves accepted the Empire as *sui generis*, because it was sent from God, and any idea of theorising about it never entered their minds." Similar, although more nuanced, is the assessment by D. Nicol, "Byzantine Political Thought," in J. H. Burns (ed.), *The Cambridge History of Medieval Political Thought, c. 350–c. 1450* (Cambridge, 1988), 51–79.

antiquity by the commentators of the Alexandrian School, philosophy had two branches, theoretical and practical. Practical philosophy comprised ethics, economics, and also politics – the field in which Aristotle wrote *The Politics* and Plato *The Republic*.[22] The late Byzantine scholars Nikephoros Blemmydes (1197/98–ca. 1269) and Theodore Metochites (1270–1332) – two of the literati whose political ideas we will explore – were well aware of the twofold division of philosophy, and subdivided practical philosophy into its three traditional elements: politics, economics, and ethics.[23] Yet, despite this classification, no Byzantine is known to have embraced the study of politics as an autonomous philosophical discipline in its own right. Instead, the concept of political philosophy (*politike philosophia*) was often used anachronistically in reference to classical authors. For example, in one of his speeches the late antique orator Themistius (ca. 317–ca. 388) referred to Aristotle's advocacy of "practical and political philosophy."[24] In the fourteenth century Theodore Metochites harshly criticized the political writings of the ancients and noted that their "political philosophy" was of no use, as it proposed theories without any correspondence to past, present, or future reality.[25]

The apparent lack of a Byzantine categorization of its own political writing as philosophy does not necessarily mean a lack of interest in political ideas and theories – ideas and theories which almost exclusively touched on operational aspects of the Byzantine monarchical constitution. Texts rich in ideas on kingship belong to diverse genres which are predominantly nonphilosophical but literary – or, by the Byzantine standard, rhetorical. Indeed, the question of the sources bears special methodological significance and is related to a long-standing scholarly controversy. By choosing

[22] Aristotle, *Metaphysics*, 993b19–21; *Eudemian Ethics*, 1214a9–12. See Elias, *Prolegomena philosophiae*, ed. A. Busse (Berlin, 1900), 32. Cf. also the comparative summary of the prolegomena to philosophy by Ammonius, Elias, and David in L. Westerink, *Anonymous Prolegomena to Platonic Philosophy* (Amsterdam, 1962), xxvii–xxxii (repr. in R. Sorabji (ed.), *Aristotle Transformed: The Ancient Commentators and Their Influence* (Ithaca, 1990), 344–47.)

[23] Nikephoros Blemmydes, *Epitome of Logic*, PG, vol. 142, col. 733BC; Theodore Metochites, *Introduction to Astronomy*, in B. Bydén, *Theodore Metochites' Stoicheiosis Astronomike and the Study of Natural Philosophy and Mathematics in Early Palaiologan Byzantium* (Göteborg, 2003), 443–50, esp. 445–46. In his treatise on education Metochites even called politics "the best and most important part of philosophy," which, he added, the ancient philosophers had failed to discuss properly and realistically. See I. Polemis, Θεόδωρος Μετοχίτης. Ἠθικὸς ἢ περὶ παιδείας (Athens, 1995), 172.15–16.

[24] Themistius, Or. 34, 6, translated in *Politics, Philosophy and Empire in the Fourth Century: Select Orations of Themistius*, trans. P. Heather and V. Moncur (Liverpool, 2001), 315. Interestingly, in the sixth century the dialogue *On Political Science* equates political philosophy with the art of kingship, both of which are said to be an imitation of God. Further research is necessary to trace the subsequent influence of this idea. See *Menae patricii cum Thoma referendario De scientia politica dialogus*, ed. C. Mazzucchi (Milan, 1982), 18.6–7.

[25] Metochites, *Miscellanea*, ch. 81, 536.

to focus on different sources, scholars have oscillated between two contrary approaches to the political thinking of the Byzantines.[26] The proponents of the first approach have tended to use court rhetoric and propaganda as well as the ritual of imperial ceremonial in order to trace the uninterrupted persistence over time of an ideology of kingship, whose principal tenets have been designated as the *Kaiseridee* (the "Byzantine imperial idea"). This concept acquired scholarly currency after two pioneering studies of Byzantine propaganda published in Germany and Austria, by Otto Treitinger on imperial ceremonial (1938) and Herbert Hunger on the solemn preambles (*prooimia*) of official imperial documents (1964), respectively.[27] The *Kaiseridee*, although never given a precise definition by scholars, boils down to the monarchical tenets of imperial authority which the Byzantines universally accepted: sacral rulership, possession and imitation of divine virtues, sun mimicry, and traditional epithets and comparisons such as, for example, "helmsman" or "victor." Naturally, scholars who have traced the *Kaiseridee* in Byzantium have not been interested in issues of change over time. For instance, in his study Hunger examined the continual impact of the *Kaiseridee* from the time of Byzantium's founder, Constantine the Great (313–37), until the last Byzantine emperor Constantine XI Palaiologos (1449–53). The identification of the *Kaiseridee* with the entirety of Byzantine political thought has predictably led to questioning the originality and creativity of the Byzantines in this aspect of their intellectual life.

The picture of smooth continuity of Byzantine political ideas throughout the centuries presented by the *Kaiseridee* has elicited two responses. The first one has qualified the picture. In the past twenty-five or so years scholars have become increasingly aware that imperial propaganda varied from period to period and within the reigns of successive emperors, despite deceptive continuity in ideological vocabulary and court ceremonies.[28] The second response to the *Kaiseridee* has been more radical – a refusal to view propaganda as the true expression of Byzantine political thought and a deliberate focus on the norms of political behavior posed to the Byzantine emperor. The attention of this approach, which we may call the "normative approach," to the limitations of Byzantine imperial authority was not new in itself; what was innovative was the elevation of non-authoritarian and republican ideas to the pedestal of Byzantine political ideals. The main advocate of this approach was the German Byzantinist Hans-Georg Beck, who in a series of studies published in the 1960s and 1970s extrapolated theories of kingship from normative and historical texts, as well as from the political behavior of the Byzantines, which, as he claimed, itself demonstrated the existence of socially accepted, though unwritten, norms affecting the imperial office.[29]

A starting point for Beck's discussion was the chronic instability of the imperial office. Byzantium had seen the dethronement of sixty-five emperors (most of whom perished) after successful rival claims to the throne. Only thirty-nine reigns ended peacefully.[30] In the light of this fact, Beck interpreted the autocratic and exalted ideas of imperial propaganda as a way of legitimizing and stabilizing the emperor's insecure hold on power. According to Beck, the real heart of Byzantine political thinking lay in the survival of Roman republican ideas, residues of which lay in the ceremony of election and acclamation of the Byzantine emperor by the army, the senate, and the people, as well as in the persistence of notions of the public sphere. Beck observed that the concept of empire in Byzantium did not coincide with the larger one of *res publica*, that the Byzantines consistently viewed the emperorship as a public office, and that the subjects of the emperor believed that they were entitled to depose an unworthy ruler who had not fulfilled the obligations of his post. Revolution became, in Beck's words, "a constitutional norm." The *Kaiseridee* served as a simple corollary to constitutional ideas of Roman republican origin.[31]

[26] For critical reviews on some of the historiography on Byzantine political thought see H. Hunger (ed.), *Das byzantinische Herscherbild* (Darmstadt, 1975), 1–12 (*Einleitung*); M. Th. Fögen, "Das politische Denken der Byzantiner," in I. Fetscher and H. Münkler (eds.), *Pipers Handbuch der politischen Ideen*, vol. 2 (Munich and Zurich, 1993), 41–85, esp. 78–82.

[27] O. Treitinger, *Die oströmische Kaiser- und Reichsidee nach ihrer Gestaltung im höfischen Zeremoniell* (Jena, 1938; 2nd edn Darmstadt, 1956); H. Hunger, *Prooimion. Elemente der byzantinischen Kaiseridee in den Arengen der Urkunden* (Vienna, 1964).

[28] This approach has been advocated in the study of propaganda by Alexander Kazhdan and in the study of ceremonial by Michael McCormick. See A. Kazhdan, "Certain Trends of Imperial Propaganda in the Byzantine Empire from the Eighth to the Fifteenth Centuries," *Prédication et propagande au Moyen Age: Islam, Byzance, Occident* (Paris, 1983), 13–28; M. McCormick, "Analyzing Imperial Ceremonies," JÖB, 35 (1985), 1–20. A similar approach is that of Hélène Ahrweiler, who in her book *L'idéologie politique de l'Empire byzantin* (1975) traced changes in the ruling ideology of the empire in propagandist and theoretical texts, but relied mostly on her interpretation of the implicit ideology of political action. In other articles on imperial ideology Kazhdan used propagandist and normative sources to show a shift toward "aristocratization" of the imperial image during the eleventh and twelfth centuries. See A. Kazhdan, "O sotsial'noi prirode vizantiiskogo samoderzhaviia," *Narody Azii i Afriki*, 6 (1966), 52–64; A. Kazhdan, "The Aristocracy and the Imperial Ideal," in M. Angold (ed.), *The Byzantine Aristocracy, IX to XIII Centuries* (Oxford, 1984), 43–57.

[29] H.-G. Beck, *Senat und Volk von Konstantinopel* (Munich, 1966); H.-G. Beck, *Res Publica Romana. Vom Staatsdenken der Byzantiner* (Munich, 1970); and H.-G. Beck, *Das byzantinische Jahrtausend* (Munich, 1978).

[30] L. Bréhier, *Les institutions de l'empire byzantin* (Paris, 1949), 17. The basis of Louis Bréhier's count was the period 395–1453.

[31] Beck, *Das byzantinische Jahrtausend*, 52–59, 78–86.

The chief problem with Beck's approach lay in his sources. The Byzantines never had a written constitution in the legal sense of the word, although scholars have indeed attempted to sketch its likely outlines.[32] The only norms addressed with any frequency to the Byzantine emperors were in the form of didactic mirrors of princes – texts containing moral injunctions and pieces of practical advice, including one of obedience to the written law. Beck pointed to three theoretical texts – a rather modest number for the millennial history of Byzantium – that posed quasi-constitutional norms to imperial power: the anonymous dialogue *On Political Science* (sixth century), the chapter on kingship in the law collection *Eisagoge* attributed to the Patriarch Photios (ninth century), and the treatise by Manuel Moschopoulos (early fourteenth century). In addition, Beck showed that certain cases of critique of the emperor (*Kaiserkritik*) rested on the persistence of constitutional notions regarding the public responsibilities of the imperial office.[33] Most recently, in his book *The Political Theory of the Byzantines*, published in 1988, Ioannes Karayannopoulos refrained from using the word constitution, but spoke of the existence in Byzantium of "ethical and legal limits" to imperial power. Karayannopoulos extrapolated these norms from the mirrors and selected legal pronouncements concerning the emperor.[34]

The paucity of prescriptive texts addressed to the emperor undermines the "normative approach" to Byzantine political thought. It was natural that a reaction should emerge. In an illuminating review article on Byzantine political thought published in 1993, Marie Theres Fögen underlined the absence in Byzantium of norms limiting imperial power that were binding, accepted, and enduring, and noted that the closest the Byzantines came to articulating theories of rulership were a few alternative theories to the *Kaiseridee* – the theories of the sixth-century dialogue *On Political Science*, of Photios, and of Moschopoulos, as well as those of

[32] In addition to Beck see P. Pieler, "Verfassung und Rechtsgrundlagen des byzantinischen Staates," JÖB, 31 (1981), 213–31.

[33] Beck, *Das byzantinische Jahrtausend*, 42–45. The examples were drawn from the Byzantine historian and canonist Zonaras (twelfth century). Beck's ideas were developed further with additional evidence by P. Magdalino, "Aspects of Twelfth-Century Byzantine *Kaiserkritik*," *Speculum*, 58 (1983), 326–46, repr. in P. Magdalino, *Tradition and Transformation in Medieval Byzantium* (London, 1991), study VIII. Mai's hypothesis about Peter the Patrician's authorship, which Beck accepted, is unsubstantiated. Cf. *Menae patricii . . . De scientia politica dialogus*, XIII (Mazzucchi's preface). On the *Eisagoge* and Photios, see below chapter 11, 362–63. On Moschopoulos, see below chapter 10, *passim*.

[34] I. Karayannopoulos, *Η πολιτική θεωρία των Βυζαντινών* (Thessaloniki, 1988). In 1956 Karayannopoulos pioneered "the normative approach" by examining the ideological attributes as well as legal and moral limitations to the power of the early Byzantine emperor. See I. Karayannopoulos, "Der frühbyzantinische Kaiser," BZ, 49 (1956), 369–84.

the late Byzantine philosopher George Gemistos Plethon (c. 1360–1452).[35] According to Fögen, the powerful ideology of sacral kingship, that is, the most cherished tenet of the *Kaiseridee*, stifled the articulation of norms for imperial authority. Thus the idea of the emperor's divine selection legitimized contingency and charismatic leadership, which in turn fueled the ambitions of different individuals and court factions to put forth claims to the imperial throne. In other words, the *Kaiseridee*, not "the Byzantine constitution," determined the openness of the imperial office to everyone.[36]

It is evident that the two approaches to Byzantine political thought – the first focusing on the *Kaiseridee* and the second on norms – have painted contrasting pictures of the political thinking of the Byzantines. This situation amounts to no methodological impasse, however. The solution, which this book suggests, is a modified approach as well as a systematic and comprehensive examination of the sources. The dichotomy *Kaiseridee* vs. norms is, in fact, not a real one, for the tenets of the *Kaiseridee* provided a vocabulary for the articulation of norms and prescriptions. For example, the mirrors regularly urged emperors to adhere to moral and legal norms by arguing that in this way the sovereigns imitated God and the divine virtues.[37] The problematic dichotomy *Kaiseridee* vs. norms can be supplanted with the juxtaposition of the individual perspectives of political authors writing on kingship, whether these authors served as spokesmen of official authority, assumed an independent perspective, or reflected the views of the church. The shortage of normative texts on kingship does not itself mean a shortage of *rival ideas and theories* in non-normative contexts. A thorough study of the political literature in all its variety reveals, at least in the period under consideration, numerous divergent ideas and theories formulated in various non-normative texts. Even works of imperial propaganda and court rhetoric, which have been traditionally regarded as repositories of the *Kaiseridee*, reveal differences of opinion. Therefore, instead of looking for norms, we shall probe the political literature in its entirety for rival ideas and theories of kingship, some expressed through a traditional ideological vocabulary, others not. Most often these conflicting conceptions of rulership have practical content or implications in comparison to the abstract ideological dogmas of *Kaiseridee*. They refer to specific, historically concrete functions of imperial power and to matters of government: the rise of an

[35] M. Th. Fögen, "Das politische Denken der Byzantiner," 72–78, 80–82, esp. 82. Fögen's decision to add George Gemistos Plethon to the list of three independent political theorists hardly serves to lend more credence to the "normative approach."

[36] Ibid., 81. [37] See below, chapter 6, 191 ff.

emperor to the throne, redistribution of economic resources, the use of quasi-feudal ties of personal dependence, and the role of tightly knit kinship networks around the emperor.

Byzantine political thought, then, is defined here as the body of divergent, sometimes conflicting, ideas about imperial power and the functioning of imperial government. These differing interpretations took at times the form of direct polemics and debates, such as the debates between Nikephoros Blemmydes and the emperor Theodore II Laskaris examined here in chapters 7 and 9. Yet polemical writing, although important, was not the commonest way of expressing political ideas. To uncover varying theoretical interpretations one has to delve into the rich political literature and to select and juxtapose ideas drawn from texts and authors without a direct relation to each other. The political thought of the Byzantines as described here runs into one natural limitation – it pertains exclusively to modes of imperial rulership and does not extend to the discussion of non-monarchial forms of government or to wider social issues beyond the functioning of the imperial office.[38] There were, indeed, cases when this constraint was breached. A notable development of the fourteenth century was the composition of treatises or discourses on new political subjects: social justice in the city, urban life in general and relations between the rich and the poor.[39] These subjects partly reflected the new historical reality of the rise to prominence of urban middle classes and of social conflict in the late Byzantine city – historical tendencies which manifested themselves in the Zealot commune of Thessaloniki (1342–49) and in general during the Second Civil War (1341–47). Yet the new subjects remained exceptional for late Byzantine political literature, in which the emperor continued to occupy center stage. The activity of the imperial office mattered a great deal in Byzantium, and the realities of the monarchy by themselves drew attention to the figure of the emperor, his ideological attributes, and his administrative prerogatives. Furthermore, the social profile of the authors, most of whom were future, current, or former civil servants or high-ranking ecclesiastics, contributed to the centrality of the emperor. One important theorist, Theodore II Laskaris (1254–58), was a prince and an emperor when

[38] See our further considerations below, chapter 6, 200–03.

[39] Nikephoros Choumnos, "Discourse of Advice to the People of Thessaloniki on Justice" (Θεσσαλονικεῦσι συμβουλευτικὸς περὶ δικαιοσύνης), AG, vol. 2, 137–87; Thomas Magistros, "On the Polity" (Περὶ πολιτείας), PG, vol. 145, cols. 496–548 (discussed in chapter 8, 303–05), and "Discourse to the People of Thessaloniki on Unity" (Θεσσαλονικεῦσι περὶ ὁμονοίας), ed. B. Laourdas, in *Ἐπιστημονικὴ Ἐπετηρὶς Σχολῆς Νομικῶν καὶ Οἰκονομικῶν Ἐπιστημῶν*, 12 (1969), 751–775; Alexios Makrembolites, "Dialogue between the Rich and the Poor," in I. Ševčenko, "Alexios Makrembolites and His 'Dialogue between the Rich and the Poor'," ZRVI, 6 (1960), 187–228.

he wrote about the principles of imperial politics. The emperor and imperial governance were destined to remain the natural focus of the political imagination of late Byzantine authors.

THE SOURCES

The sources for our investigation belong to three categories in view of the individual perspectives of the authors: imperial propaganda and rhetoric; non-official works of secular theoretical nature; and the political writing of ecclesiastics. A few preliminary observations on the sources are necessary at the outset, to which the introductory chapter of each section will add further detail. The first kind of propagandist texts is preambles – *prooimia* (Gk.) or *arengae* (Lat.) – to imperial charters. The preambles form the solemn opening part of some types of imperial documents, predominantly chrysobulls, and convey elements of official ideology to their recipients. The importance of *prooimia* for the study of royal ideology has long been recognized by scholars dealing with Byzantium and the medieval West.[40] It has been observed that in Byzantium preambles traditionally introduced general imperial legislation and made ideological pronouncements about the duties and status of imperial authority, while in the West they formed part of royal or imperial charters and, until the tenth century at least, underlay a specific sentiment underlying a concrete grant.[41] This distinction between the medieval East and West no longer existed by the late medieval period, when the legislative function of the Byzantine imperial office was little exercised and the great bulk of the preambles in Byzantium pertained to charters of privilege. In this context, the imperial image was most often molded to suit the concrete context of the privilege, although there were cases when preambles continued to make general statements about the duties of the imperial office.[42]

[40] For a general survey of preambles to royal, papal, and private documents in the medieval West, see H. Fichtenau, *Arenga: Spätantike und Mittelalter im Spiegel von Urkundenformeln* (Graz and Cologne, 1957).

[41] K. Leyser, "*Theophanu divina gratia imperatrix augusta*: Western and Eastern Emperorship in the Later Tenth Century," in A. Davids (ed.), *The Empress Theophano: Byzantium and the West at the Turn of the First Millennium* (Cambridge, 1995), 1–27, esp. 22–23. Cf. J. Bompaire, "À propos des préambules des actes byzantins des Xe–XIe siècles," *Prédication et propagande au Moyen Age: Islam, Byzance, Occident* (Paris, 1983), 133–47.

[42] See the preamble to the chrysobull issued sometime after 1294 by Andronikos II for the monastery of the Anastasis in Constantinople, MM, vol. 5, 264, which mentions that the duty of the emperor is "to examine the lists of the armies, to plan armed exercises and to be able to collect many and great forces for fighting the enemies . . . and not to neglect the civil matters, nor to let them move along unpremeditatedly or to consider this business worthy of lesser care, but to be able to realize that he should take great care, too, of these [civil] matters."

The second type of source on imperial propaganda is orations (panegyrics) composed for public declamation in front of the emperor and his court. The twenty-two imperial orations surviving from the period are each much longer than any of the preambles and offer rich, often unique, insights into imperial ideology. For example, the orations are the only "official" source which interprets ideologically the emperor's accession to the throne. It is difficult to overstate the importance of the panegyrics, which are among the finest specimens of Byzantine rhetorical literature. Yet no one has studied them in depth or systematically. The reasons are obvious. Traditionally the panegyrics have been seen as lacking in originality and interest, while their Atticizing Greek is among the most refined and difficult produced by a civilization not known for admiring simplicity. Most of them are available in rare, antiquated, or mediocre editions. Some have never been edited at all, and this study offers for the first time an analysis of several unpublished pieces.

The theoretical nonofficial texts on imperial rulership are varied in nature. Several didactic mirrors of princes instruct different emperors of the period in the art of kingship. A few similarly didactic texts discuss the duties of the subjects. There were also abstract treatises on imperial rulership, which took the form of self-contained works, such as the one by Manuel Moschopoulos, or were incorporated into larger philosophical treatises or collections, such as the treatise *On the Natural Communion* by Theodore II Laskaris or the *Miscellanea* of Theodore Metochites. Finally, the emperor's critics – historians and others – voiced theoretical opinions on kingship and imperial government. Conspicuously absent from our discussion of the theoretical literature will be legal texts. The reason lies in the anachronism of the late Byzantine law collections and in the absence of legalistic tracts on imperial rights. The political and fiscal prerogatives of imperial authority were defined in most cases not by law, but by usage and custom. The secular law applied in the late Byzantine courts was based on Justinian's codification of Roman law and its later abridgements. The two late Byzantine collections of secular law – the *Synopsis Minor* dating to the late thirteenth century and the *Hexabiblos* (or *Six Books*) of Constantine Harmenopoulos completed in 1345 – consisted mostly of excerpts from the tenth-century *Basilika*, themselves a digest of Justinianic law.[43]

[43] On a dating of the *Synopsis Minor*, see S. Perentidis, "Recherches sur le texte de la *Synopsis minor*," *Fontes Minores*, 6 (1984), 219–73; S. Perentidis, "L'empereur né le jour de Pâques, Michel IX Paléologue et la date de la *Synopsis minor*," *Fontes Minores*, 7 (1986), 253–257. On the dating of the *Hexabiblos* of Harmenopoulos, see M. Th. Fögen, "Die Scholien zur Hexabiblos im Codex vetustissimus Vaticanus Ottobonianus gr. 440," *Fontes Minores*, 4 (1981), 256–345, esp. 268–75. Excerpts from the *Basilika* were often drawn not from the *Basilika* themselves, but from post-tenth-century law collections based on them, such as the *Synopsis Maior* of the *Basilika* and the *Ponema* of Michael Attaleiates.

The *Syntagma* of Matthew Blastares (mid-fourteenth century) – a third late Byzantine legal collection containing a mixture of secular and ecclesiastical law – also harked back to the Justinianic codification and its later abridgements. All three late Byzantine legal collections contain sections with laws concerning the emperor; however, most of these laws date back to the Roman imperial and early Byzantine periods and deal with a limited range of subjects.[44] Their main theme was the relations between the emperor and the law, yet no clear-cut solution to this important theoretical question was provided anywhere. Instead, the mutually exclusive pronouncements of the Justinianic legislation were cited – a situation which legal scholar Dieter Simon has aptly called the "basic impasse" of the Byzantine constitution. Thus, both the late-thirteenth-century *Synopsis Minor* and the fourteenth-century *Hexabiblos* of Harmenopoulos carried fully contradictory opinions on the stance of imperial authority toward the law. The two late Byzantine legal collections cited side by side the famous dicta of the Roman lawyer Ulpian in the Digest – "whatever the emperor decides has the force of law" and "the emperor is not subject to the law" – and the contrary statement found in the Codex of Justinian, "let the general laws be valid with respect to the emperor."[45]

Furthermore, late Byzantium had no imperial legal scholars who made an effort to systematize the emperor's prerogatives, such as, for example, Henry de Bracton (d. 1268) was for the medieval English monarchy. Nor were there critical and politically engaged commentators on the Justinianic legislation, like Bartolus of Saxoferrato (1314–57) and Baldus de Ubaldis (1327–1400) in late medieval Italy, who backed up rights of urban communes and defined their legal relations vis-à-vis the papacy and the emperor.[46] The sole exception to this lack of legalistic theories on kingship may be found in the

[44] The most recent source of influence on the laws on imperial authority appears to be the ninth-century *Eisagoge* attributed to patriarch Photios. See below chapter 4, 135 and chapter 11, 363.

[45] *Synopsis Minor*, II,42; II,43; II,53, in Zepos, JGR, vol. 6, 357, 360; Harmenopoulos, *Hexabiblos*, 1,1,28; 1,1,32; and 1,1,39, ed. Pitsakes, 17, 19. Cf. *Basilika* 1,6,1; 1,6,2; 1,6,9. For Ulpian's legal dicta *princeps legibus solutus est* and *quod principi placuit legis habet vigorem*, see the Digest of Justinian, 1,3,31; 1,4,1, in P. Krueger and Th. Mommsen, *Corpus Iuris Civilis*, vol. 1, *Iustiniani Digesta* (Berlin, 1928), 34–35. The opposite statement was made in the Codex of Justinian, 1,14,4, in P. Krueger, *Corpus Iuris Civilis*, vol. 2, *Codex Iustinianus* (Berlin, 1929), 68. See D. Simon, "*Princeps legibus solutus*. Die Stellung des byzantinischen Kaisers zum Gesetz," in D. Nörr and D. Simon (eds.), *Gedächtnisschrift für Wolfgang Kunkel* (Frankfurt am Main, 1984), 449–92. On ideas about the superiority of the king to the law in classical political thought, see M. Anastos, "Byzantine Political Theory: Its Classical Precedents and Legal Embodiment," in S. Vryonis (ed.), *The "Past" in Medieval and Modern Greek Culture* (Malibu, 1978), 13–53.

[46] On Bartolus see C. Woolf, *Bartolus of Sassoferrato: His Position in the History of Medieval Political Thought* (Cambridge, 1913). On Baldus see J. Canning, *The Political Thought of Baldus de Ubaldis* (Cambridge, 1987). Cf. Q. Skinner, *The Foundations of Modern Political Thought*, vol. 1: *The Renaissance* (Cambridge, 1978), 8 ff.

works of the archbishop of Ohrid, Demetrios Chomatenos (d. between 1236 and 1240), an able lawyer and canonist as well as the chief apologist of the Epirote emperor Theodore Komnenos Doukas (1215–30). In 1227 Chomatenos himself performed the imperial coronation of the Epirote ruler and laid out a curious legalistic theory that justified the simultaneous existence of two Byzantine emperors outside Constantinople.[47] In addition, in 1236 Chomatenos tried to resolve the theoretical dilemma of the relation between the emperor and the law, largely at the expense of the ruler.[48] Nevertheless, Chomatenos remains a lonely figure in the tradition of legalistic theorizing in late Byzantium.

Rhetoric, rather than law, was the main vehicle for the expression of late Byzantine political thought. As is known, rhetoric is the art of persuasive use of language, which in Byzantium was Attic Greek – the language of high culture and administration. For the Byzantines, rhetoric was a discipline whose devices and genres were described in the widely used late antique handbooks of Hermogenes, Aphthonios, and Menander.[49] Rhetoric was furthermore a discipline on which higher education in Byzantium traditionally laid a very strong emphasis.[50] As a discipline, rhetoric provided both genres and a language for couching political theories. The main rhetorical genre for the expression of political ideas was doubtless the imperial oration (called also imperial panegyric or encomium) – a work usually intended for oral recitation before the emperor and his court. The panegyrics of the emperor in late Byzantium display a remarkable versatility of usage. At various times imperial orations served to praise, advise, theorize about, and even criticize the emperor. Notably, criticism of the entire Palaiologan dynasty took the form of an imperial oration on a long-deceased ruler, the emperor John III Vatatzes.[51] Other rhetorical genres also provided context and a literary form for articulating abstract theories on rulership. For example, one of the most intriguing political thinkers of the period, the emperor

[47] Chomatenos, ed. Prinzing, no. 114, 370–378. Cf. ibid, 23*–26* (Günter Prinzing's introduction); R. Macrides, "Bad Historian or Good Lawyer? Demetrios Chomatenos and Novel 131," DOP, 46 (1992), 187–96.

[48] Chomatenos, ed. Prinzing, no. 106, 352. Chomatenos distinguished between two types of law: justice-orientated ones aimed to settle litigation, which the emperor had to observe or enforce, and authority-related ones, which the emperor was not bound to follow. See Simon, "*Princeps legibus solutus*." The judicial case, a complicated property dispute in Epiros, has been analyzed by D. Simon, "Witwe Sachlikina gegen Witwe Horaia," *Fontes Minores*, VI (1984), 325–75. Cf. Chomatenos, ed. Prinzing, 209*–218*.

[49] On the development of rhetoric in Byzantium see G. Kustas, *Studies in Byzantine Rhetoric* (Thessaloniki, 1973); G. Kennedy, *Greek Rhetoric under Christian Emperors* (Princeton, 1983).

[50] For the period of interest to us, see C. Constantinides, *Higher Education in Byzantium in the Thirteenth and Early Fourteenth Centuries (1204–ca. 1310)* (Nicosia, 1982), 151–55.

[51] See below chapter 8, 280–85.

Theodore II Laskaris, propounded political ideas in rhetorical exercises, a funeral oration, and polemical works addressed to his teacher Nikephoros Blemmydes. The great fifteenth-century Byzantine thinker George Gemistos Plethon (ca. 1360–1452), himself a commentator on rhetorical theory, laid out his ideas on reforming the Morea into a state resembling Plato's *Republic* in the rhetorical form of a counseling speech (*symbouleutikos*).[52]

The close relationship between rhetoric and political theory should not surprise us. Both the realities of late Byzantine imperial government and contemporary theories of rhetoric determined the paramount role of *ars rhetorica* in formulating Byzantine political ideologies. The smooth operation of the government was unthinkable without the political use of rhetoric. Foreign and domestic official correspondence, news bulletins, and imperial and ecclesiastical documents were all written in a highly rhetorical form. Naturally, the business of government needed men skilled in the art of rhetoric. The great majority of the literati, whose work we shall examine, served in the imperial or the ecclesiastical bureaucracy and were thus practitioners of government rhetoric. Of the twenty-one literati who composed works in the secular genres of political literature between 1204 and 1330, six pursued a career in the imperial administration and nine in the church, and two more were in the service of both the emperor and the church at different times during their literary career.[53] Sixteen of the twenty-one authors wrote encomia on the ruler and eighteen wrote works in traditional rhetorical genres.[54]

Command of rhetoric was an important prerequisite for the employment of a young man in the imperial or ecclesiastical administration. In particular, deliveries of imperial orations by educated and ambitious youths in front

[52] S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 4 (Athens, 1930), 114–35.

[53] The authors who belonged to the imperial civil service were Niketas Choniates (before 1204), George Akropolites, Nikephoros Choumnos, Theodore Metochites, Nikephoros Gregoras (part-time and without holding a title), Manuel Philes (part-time and without holding a title). The literati who held various appointments in the church hierarchy, or were ecclesiastics, were Demetrios Chomatenos, John Apokaukos, Jacob of Bulgaria, Nikephoros Blemmydes, Theognostos, Gregory of Cyprus, Nicholas Lampenos, George Pachymeres and Matthew of Ephesos. Two intellectuals moved easily between the secular world and the church: Manuel Holobolos (whose office of *rhetor* was part of the church hierarchy, and yet his duties involved the compositions of imperial panegyrics) and Maximus Planoudes (who was a monk and at the same time served as an imperial ambassador). The rest of the authors included an emperor, Theodore II Laskaris, and three teachers, Theodore Hyrtakenos, Manuel Moschopoulos, and Thomas Magistros. The profile of the political authors corresponds generally to that of the Byzantine intellectuals in the fourteenth century. See Ševčenko, "Society and Intellectual Life in the Fourteenth Century," 72.

[54] No imperial encomia have survived among the extant works of Demetrios Chomatenos, Theognostos, Thomas Magistros, George Pachymeres, or Manuel Moschopoulos. Pachymeres and Magistros, however, composed other types of rhetorical works (rhetorical exercises and encomia on high imperial officials).

of the emperor served as a sort of examination for entering the imperial bureaucracy. The evidence for this is twofold. First, university teachers in the middle and late Byzantine periods are known to have used the genre of imperial panegyric to present to the emperor the progress in rhetoric achieved by their students. The earliest example is the eleventh-century panegyric on the emperor Constantine IX Monomachos (1042–55) by the polymath Michael Psellos, holding at the time the teaching post of "consul of the philosophers" at the university of Constantinople, who presented his students as eager to praise the emperor in panegyrics.[55] In the thirteenth century, Manuel Holobolos, similarly a university teacher and a professional rhetorician employed by the church, spoke in his panegyric on Michael VIII Palaiologos about his students' progress in the study of rhetoric.[56] Second, episodes in the early careers of several leading civil servants and intellectuals testify to the importance of delivering imperial orations at a young age as a prerequisite for individual advancement. Again, this development dates back to the middle Byzantine period. Thus an imperial oration delivered during a rhetorical performance at the court of Manuel I Komnenos (1143–80) by the young John Mesarites impressed the emperor so much that he offered Mesarites a job at the imperial chancery. Mesarites humbly declined the proposal, preferring a career in the church.[57] In late Byzantium the prime minister (*mesazon*) Theodore Metochites remembered in one of his autobiographical accounts that the display of rhetorical skills before the emperor had ensured him entry into the civil service at the young age of twenty. Metochites was between the age of twenty and twenty-three when he delivered his two imperial orations on Andronikos II.[58] Other young court rhetoricians declined attractive offers of offices. The *mesazon* Theodore Metochites probably had his own experience in mind when he encouraged two of his students – the future historian Nikephoros Gregoras (ca. 1291–1358/61) and the future theologian Gregory Palamas (ca. 1296–1359) – to present themselves rhetorically to Andronikos II. While Gregoras delivered an imperial panegyric which delighted the emperor, Palamas gave an oration on Aristotelian logic. The emperor offered Gregoras a post at the patriarchate, which the latter thankfully declined. As to Palamas, in

[55] *Michaelis Pselli orationes panegyricae*, ed. G. T. Dennis (Leipzig and Stuttgart, 1994), 98. A very similar case of presentation of students is found in an encomium on Alexios I Komnenos by Theophylaktos of Ohrid. See Gautier, *Théophylacte d'Achrida*, 243. Cf. also chapter 1, 38 and n. 9.

[56] Holobolos, *Orationes*, 96.12–35. [57] A. Heisenberg, *Neue Quellen*, I, 30–31.

[58] See the autobiographical information about the way in which Metochites first drew Andronikos II's attention to himself in M. Treu, *Dichtungen des Gross-Logotheten Theodoros Metochites* (Potsdam, 1895), 12.444–446; cf. Bydén, *Theodore Metochites' Stoicheiosis Astronomike*, 422–29; Metochites, *Miscellanea*, ch. 28, 190.

the words of Philotheos Kokkinos (Palamas' biographer), Andronikos II considered the future theologian fully worthy of a public career, but the pious youth preferred monastic life to politics.[59]

Thus the delivery of panegyrics and other rhetorical pieces gave young and newly educated men an opportunity to present themselves as "members of the club" of learned bureaucrats. Later in life, as imperial civil servants, four former panegyrists and current high imperial ministers – Choumnos, Metochites, Gregoras, and, in the mid-fourteenth century, Demetrios Kydones – composed preambles to imperial documents, which borrowed from the rhetorical vocabulary of imperial panegyric. These preambles were the rhetoric of government in action.[60] Furthermore, the practice of rhetoric in its various genres and manifestations provided civil officials not only with an occupation (the rhetoric of imperial governance), but with a subject of common interest. Notably, the dispute in the 1320s between two of the prime ministers of Andronikos II over rhetorical style and the use of rhetorical models disguised a long-standing political rivalry.[61]

While the practices of the imperial government and its system of promotions created a close connection between rhetoric and politics, theories advocating a "philosophical" approach to rhetoric, and in particular to imperial panegyric, made rhetorical discourse thoughtful and occasionally theoretical. This view of rhetoric figures in the rhetorical manual by Joseph the Philosopher (ca. 1270–ca. 1330) entitled *Summation of Rhetoric* – a work that reflects twelfth-century rhetorical theories.[62] Joseph quoted in

[59] Gregoras I, 327, 334; cf. below, chapter 1, 61–64. Philotheos Kokkinos, *Encomium on Gregory Palamas*, PG, vol. 151, cols. 559D–560A; new edn. by D. Tsamis, *Φιλοθέου Κωνσταντινουπόλεως Λόγος εἰς ἅγιον Γρηγόριον Παλαμᾶν Ἀρχιεπίσκοπον Θεσσαλονίκης* (Thessaloniki, 1984), 37–38.

[60] The *mesazontes* at times composed the entire imperial charters. See N. Oikonomides, "La chancellerie impériale de Byzance du 13ᵉ au 15ᵉ siècle," REB, 43 (1985), 169–70. On the preambles of Choumnos, Metochites, and Gregoras, see table 1. On the preamble by Kydones, see F. Tinnefeld, "Vier Prooimien zu Kaiserurkunden, verfaßt von Demetrios Kydones," BSl, 44 (1983), 13–30, 178–95.

[61] I. Ševčenko, *Études sur la polémique entre Théodore Métochite et Nicéphore Choumnos* (Brussels, 1962).

[62] Joseph the Philosopher or "Rakendytes," *Summation of Rhetoric* (Σύνοψις τῆς ῥητορικῆς), in Walz, *Rhetores Graeci*, vol. 3, 478–569. Joseph's rhetorical manual awaits a careful study of its sources. Naturally, these sources feature prominently the father of Byzantine rhetorical theory, Hermogenes (second century A.D.), and his later commentators. That the rhetorical manual of Joseph reflects a late-twelfth-century rhetorical treatise is apparent from the discussion of how to make a pun on the name of an emperor from the dynasty of the Angeloi (1185–1204). See Walz, *Rhetores Graeci*, vol. 3, 524.7–8. De Falco has proven that Joseph reused several chapters from an anonymous rhetorical treatise (*Rhetorica Marciana*) dating most probably to the early thirteenth century. See V. De Falco, "Trattato retorico bizantino (Rhetorica Marciana)," *Atti della società ligustica di scienze e lettere*, 9, fasc. 2 (1930), 100–01; V. De Falco, "Sulla Retorica del filosofo Giuseppe," *Historia*, 5 (1931), 627–43. Cf. chapter 1, n. 80. In addition, another source for Joseph was a twelfth-century rhetorical treatise (περὶ λογογραφίας) – a work which may have been written by Gregory Pardos, a teacher of rhetoric in

full the rules of Menander Rhetor (third century) for the imperial oration, often referred to the genre of imperial panegyric when presenting various rhetorical figures, and advocated a mixture of two types of discourse in encomia of the emperor.[63] The first discourse was simply rhetorical, and Joseph considered it clear and commonplace. The second discourse was philosophical; Joseph deemed it to be more dignified and exalted than the former. The philosophical discourse avoided simple praises and instead presented theoretical interpretations relevant to the subject at hand. As an example of this stylistic distinction, Joseph pointed to the praise of the emperor's moderation in the two discourses. An orator using a simple rhetorical style would laud the emperor for possessing this particular virtue, while the practitioner of a philosophical style might reflect on the subject and indulge in an abstract discussion of the nature of passion within the human body.[64] Late antique models of court rhetoric, such as the orations of Themistius, were considered models for such abstract and philosophical rhetoric.[65] In contemporary imperial panegyrics, such a "philosophical" style often pertained to methods of imperial government. For example, as we shall see in chapter 4, the panegyrists of Andronikos II discussed in an abstract "philosophical" manner the relationship between the emperor's philanthropy and the law.

The articulation of political ideologies in rhetorical texts was not a phenomenon unique to Byzantium. In late medieval Italy, rhetoric – as it developed in official letter writing (*Ars dictaminis*) and in public oratory (*Ars*

Constantinople between ca. 1120 and ca. 1150 and subsequently bishop of Corinth. See D. Donnet, *Le traité Περὶ συντάξεως λόγου de Grégoire de Corinthe* (Brussels, 1967), III, n. 2, 315–23 (text); R. Browning, "The Patriarchal School at Constantinople in the Twelfth Century," B, 33 (1963), 19–20.

63 Joseph the Philosopher, *Summation of Rhetoric*, in Walz, *Rhetores Graeci*, vol. 3, 547–58 (Menander's rules). For examples of how to write a good imperial encomium, see ibid., 519.20–521.7, 524.6–525.9, 531.21–26, 538.2–16, 541.14–23, 542.8–21.

64 Ibid., 516–21, esp. 520.4–9. The idea of mixing rhetorical and philosophical discourse goes back to the treatise περὶ λογογραφίας attributed to Gregory Pardos. See Donnet, *Le traité de Grégoire de Corinthe*, 321. The issue of the relationship between rhetoric and philosophy is an old one and dates back to Plato. In the eleventh century the polymath Michael Psellos claimed to have combined rhetoric and philosophy, and may thus have helped introduce the ideal of "philosophical rhetoric." See Kustas, *Studies in Byzantine Rhetoric*, 155–56. It is noteworthy that Joseph described the two styles of rhetoric in his discussion of ἔννοια ("subject matter" or "sentence"), a traditional category of rhetoric discussed in Hermogenes' treatise *On Ideas*. Thus "philosophical rhetoric" was a matter of both style and substance.

65 Walz, *Rhetores Graeci*, vol. 3, 521. Themistius' thirteenth oration addressed to the emperor Gratian was fashioned as an abstract philosophical discourse. Themistius rarely followed Menander and was much influenced by Dio Chrysostom (second century A.D.), an eminent representative of the Second Sophistic and author of four discourses on kingship. See J. Vanderespoel, *Themistius and the Imperial Court* (Ann Arbor, 1995), 6–9, 179–85. According to Joseph the Philosopher, Themistius, alongside Synesius and Michael Psellos, was a model of the mixture of philosophical and rhetorical styles.

arengendi) – gradually gave birth to theoretical discussions of politics in the city republics.[66] This evolution presents a parallel to what was happening in late Byzantium. Indeed, our definition of Byzantine political thought naturally raises the question of how intellectual life in the Greek East fits into the wider context of the late Middle Ages. At first glance, late Byzantium appears to differ significantly from the contemporary West and – one may even argue – pales when compared with the forward strides of Western political thought in the thirteenth century. For one thing, late Byzantium did not witness the discussion of non-monarchical constitutions and the emergence of an ideal of civic liberty which had arisen in Italy already in the late twelfth century and was a harbinger of civic republicanism during the Renaissance.[67] Western political thought in the thirteenth century took impetus from the twin rediscovery of Aristotle's *Nichomachean Ethics* and the *Politics*, both of which were translated from Greek. Aristotelianism inspired a philosophical and conceptual revolution and led to a transformation of the medieval approach to social and political thought. Under Aristotelian influence politics emerged as an autonomous discipline and a new set of ideas began to be applied to its discussion.[68] The Western eagerness to absorb the newly "discovered" works of Aristotle was related to the emergence of scholasticism and the dominant position which the scholastic approach came to occupy in the nascent universities during the thirteenth century. As an approach to theology, scholasticism was foreign to Byzantium, where traditionally a distinction was maintained between "outer learning" which was secular and classically inspired, on the one hand, and "inner learning" which was theological and often mystical, on the other. In the West scholasticism led to an active study of the corpus of Aristotle's works and drove Western churchmen to seek out Greek manuscripts of the precious treatises of the ancient philosopher. The Dominican friar William of Moerbeke (ca. 1215–86) translated into Latin Aristotle's *Politics*

66 Skinner, *Foundations*, vol. 1: *The Renaissance*, 28–35. Cf. C. Haskins, "The Early *Artes Dictandi* in Italy," in *Studies in Mediaeval Culture* (Oxford, 1929), 170–92.

67 On late medieval ideas of civic liberty see R. Benson, "*Libertas* in Italy (1152–1226)," in *La notion de liberté au Moyen Age: Islam, Byzance, Occident* (Paris, 1985), 191–213; Q. Skinner, "Machiavelli's *Discorsi* and the Pre-humanist Origin of Republican Ideas," in G. Bock, Q. Skinner, and M. Viroli (eds.), *Machiavelli and Republicanism* (Cambridge, 1990), 121–41; J. Blyth, "'Civic Humanism' and Medieval Political Thought," in J. Hankins (ed.), *Renaissance Civic Humanism: Reappraisals and Reflections* (Cambridge, 2000), 30–74.

68 See W. Ullmann, *The Principles of Government and Politics in the Middle Ages* (London, 1961), 231 ff.; W. Ullmann, *Medieval Political Thought* (Harmondsworth, 1975), 159 ff. C. Nederman, "Aristotelianism and the Origins of 'Political Science' in the Twelfth Century," *Journal of the History of Ideas*, 52 (1991), 179–94, has shown that the so-called Aristotelian revolution in medieval political thought had important precedents already in the twelfth century.

in the 1260s after having gone on a book-finding journey to the Greek East, including the empire of Nicaea, where his presence is attested in the year 1260.[69] His Latin translation immediately influenced such prominent medieval thinkers as Thomas Aquinas, Dante, and Marsilius of Padua.

In comparing the trajectory of the evolution of political thought in the late medieval East and West, the specificity of Byzantium must always be considered before the passing of any judgment. The political organization of imperial Byzantium differed vastly from that of the Italian maritime city-states, even when the empire was as fragmented and weakened as it was in the later period, and did not nurture the kind of political speculation which took place on the Italian peninsula. Unlike western Europe during the early and high Middle Ages, Byzantium never fell into the position of nearly complete separation from the Greek classics. The corpus of the works of Plato and Aristotle was cherished, copied, and circulated in Byzantium from the second half of the ninth century onward. Therefore Byzantium could not experience the kind of deep mental impact of the rediscovery of the ethical and political works of Aristotle which took place in western Europe in the thirteenth century. Nor could Byzantium truly "rediscover" Plato as did the West in the fifteenth century, when most of the Platonic dialogues, including the *Republic*, became available to the receptive reading audiences of Renaissance Italy. Byzantine ideas of kingship and imperial absolutism were related to concepts found in the works of Plato and Aristotle.[70] The question, therefore, that will guide us in our investigation is not whether classical Greek philosophy exerted influence on Byzantine political ideas, for it had already made an impact much before 1204. Rather, we must ask ourselves what late Byzantine authors made of their rich classical heritage, and most of all, whether they approached this heritage creatively and open-mindedly so as to be able to construct innovative theories of imperial government.

[69] G. Verbeke, "Moerbeke, traducteur et interprète: un text et une pensée," in J. Brams and W. Vanhamel (eds.), *Guillaume de Moerbeke: recueil d'études à l'occasion du 700e anniversaire de sa mort (1286)* (Leuven, 1989), 1–21. See the survey of William of Moerbeke's translations by E. Fryde, *The Early Palaeologan Renaissance (1261–c. 1360)* (Leiden, 2000), 135–43. In 1259/60 William of Moerbeke was in Thebes. In 1260 he was in Nicaea, where he translated Aristotle's *Meteorologica*. He produced two translations of the *Politics* of Aristotle, one incomplete in 1260–64 and a full one in ca. 1272. The translation of the second and third books of the *Nicomachean Ethics* had taken place already, in the twelfth century, and the entire work was rendered into Latin in the course of the thirteenth. See the discussion of the manuscript tradition by R. A. Gauther, *Ethica Nicomachea, praefatio (Aristoteles Latinus*, XXVI, 1–3, fasc. 1) (Brussels, 1974).

[70] See the discussion by Anastos, "Byzantine Political Theory: Its Classical Precedents and Legal Embodiment."

Finally, it is important to note at the outset that Byzantine political ideas during the late Middle Ages did not develop in separation or disjunction from wider trends in contemporary western Europe. Despite the different political and intellectual environments in which Byzantine and Western political authors lived, their thinking did occasionally converge and they arrived at some remarkably similar ideas. Cases of parallelism of thought will be highlighted in our analysis. This comparative approach sheds interesting light on the similar political and intellectual preoccupations of the two sibling civilizations – civilizations which shared many identical institutions and much of the same, Christian and classical, philosophical heritage.

PART I

Official ideology

CHAPTER I

Analyzing imperial propaganda

LATE BYZANTINE IMPERIAL PROPAGANDA IN TEXTS

Any investigation of imperial ideology in late Byzantium must rest on a close study of the sources presenting the official image of state authority. There are two types of texts whose very nature was to disseminate propaganda and to convey the public image of the emperor to the subjects: preambles (*prooimia*) to imperial documents and imperial panegyrics. Both the preambles and the panegyrics originated from circles close to the imperial office and disseminated propaganda by attempting to persuade their audiences in the legitimacy and exalted status of the ruling monarch. The preambles and the panegyrics share, too, the facts that as texts they were couched in a highly sophisticated Attic Greek and that their authors were learned court literati, some of them well-known late Byzantine intellectuals. The two groups of texts targeted different audiences. The preambles addressed the recipient of the document, most often the beneficiary of a tax privilege granted by the emperor – an individual, an urban community, a bishopric, or a monastery. The preambles are shorter than the panegyrics, usually focusing on a single imperial virtue or abstract ideological value. The content and audience of the panegyrics were quite unlike those of the preambles: they were recited orally and targeted a court audience of imperial dignitaries and officials, including the emperor himself. They are longer, cover a larger array of imperial virtues, and praise specific deeds and policies. A look at the distribution of the propagandist texts over time shows that the evidence from the early Palaiologan era far exceeds that of the Nicaean period.

Ninety-two imperial preambles survive from the period between 1204 and 1330. About one third of them (thirty-one in total) are found in late Byzantine chancery collections of model preambles.[1] The rest (sixty-one)

[1] The model preambles have come down to us in two manuscripts dating to the late thirteenth (Cod. Barocci 131) and the fourteenth (Heidelberg, Cod. Palat. gr. 356) century. Many of the preambles in

are related to concrete imperial acts and have been transmitted, with a few exceptions, together with an actual document (see table 1).[2] Almost always these sixty-one preambles form the opening part of chrysobulls – imperial charters of privilege to which the emperor's golden seal was attached. The correlation between chrysobulls as a diplomatic form and preambles does not constitute an absolute rule, however. Not all chrysobulls feature preambles, and those without a preamble begin with the *narratio* – a description of the immediate circumstances occasioning the issue of the charter.[3] In three cases during the period, the chancery attached preambles to documents that were not chrysobulls.[4] One other circumstance is highly noteworthy: only five among these sixty-one *prooimia* figure in documents (in all cases chrysobulls) of the Nicaean period. The same uneven pattern of distribution is observed among the imperial panegyrics. Twenty-two panegyrics in prose have survived from the period 1204–1330.[5] Only four of them address Nicaean emperors, who governed the empire for more than half a century after 1204. By contrast, the first Palaiologos alone is the subject of five laudatory works. Andronikos II Palaiologos is the addressee of thirteen prose panegyrics, the most any emperor received in the entire late Byzantine period. He is the second most lauded emperor in Byzantium after Manuel I Komnenos (1143–80), to whom rhetoricians dedicated more than seventy panegyrics in prose and in verse.[6]

This imbalance in the distribution of rhetorical evidence is not the result of accidental survival, and reflects a stark difference in policy toward propaganda in Nicaea and under the early Palaiologoi. The Laskarid rulers

the two manuscripts are identical. See H. Hunger, *Prooimion. Elemente der byzantinischen Kaiseridee in den Arengen der Urkunden* (Vienna, 1964), 218–45 (twenty preambles); R. Browning, *Notes on Byzantine Prooimia* (Vienna, 1966) (eleven preambles).

[2] Four preambles composed by well-known literati survive without the actual imperial ordinance, although it is possible to determine the identity of the privilege's recipient and hypothesize about the context and date of its issue. See table 1.

[3] F. Dölger and I. Karayannopulos, *Byzantinische Urkundenlehre* (Munich, 1968), 49, 122 and *passim*.

[4] These are the *horismoi* of Michael VIII on maladministration and on behalf of the abbot of Mount Sinai (1271) as well as the chrysobull sigillion of Andronikos II for the monastery of Lavra (1302). See table 1.

[5] The authors of these twenty-two prose panegyrics are in chronological order (1–2) Niketas Choniates, (3) Jacob of Bulgaria, (4) Theodore II Laskaris, (5–7) Manuel Holobolos, (8) the anonymous orator of Vat. gr. 1409 who has traditionally been identified with Holobolos, (9–10) Gregory of Cyprus, (11) Nikephoros Choumnos, (12–13) Theodore Metochites, (14) Maximos Planoudes, (15) Nicholas Lampenos, (16) the anonymous orator of Vat. gr. 112, probably also identical with Holobolos, (17) Theodore Hyrtakenos, (18–21) Nikephoros Gregoras, and (22) Manuel Gabalas, known also as Matthew of Ephesos. On the biographies of the orators and the date of the orations, see below pp. 64–77.

[6] P. Magdalino, *The Empire of Manuel I Komnenos, 1143–1180* (Oxford, 1993), 414. Andronikos II becomes a close rival of Manuel I Komnenos, if we count the fifty or so laudatory poems by Manuel Philes.

of Nicaea did not replicate the powerful propaganda machine which had been at the disposal of the Komnenian emperors in the twelfth century. Several circumstances contributed to this discontinuity: the scaling down of imperial administration in Nicaea, the displacement of prominent court literati after 1204, and, most of all, the disappearance in Nicaea of some traditional attributes of the Byzantine imperial majesty and the projection of a less exalted public image of the sovereign. One can trace the interplay of these factors of discontinuity in the fate of court oratory after 1204. During the twelfth century a functionary at the patriarchal administration with teaching responsibilities, the "master of the rhetors" (*maistor ton rhetoron*), had the duty of delivering annual panegyrics of the emperor at Epiphany (January 6). This interesting court practice had sporadic precedents already during the tenth and eleventh centuries, and seems to have established itself firmly during the twelfth.[7] In the reign of Manuel I Komnenos masters of the rhetors regularly recited Epiphany panegyrics, and they continued to do so in the period of the Angeloi emperors (1185–1204) up until the Latin conquest of Constantinople in 1204.[8] Internal evidence in the panegyrics enables us to get a glimpse into what went on at the imperial court on Epiphany day during the second half of the twelfth century. Most of the day was devoted to rhetorical performances of lauds in honor of the ruler. The master of the rhetors spoke first, delivering a speech that usually summarized the emperor's achievements in the past year. He then left the stage

[7] The first known master of the rhetors, Theophylaktos of Ohrid (ca. 1050–after 1126), composed in 1088 a panegyric of Alexios I Komnenos. On the basis of subsequent rhetorical practices Gautier, *Théophylakte d'Achrida*, 68, has hypothesized that Theophylaktos spoke on Epiphany day in the year 1088. In the eleventh century Michael Psellos, holding the teaching office of consul of the philosophers, alluded to annual imperial panegyrics in an oration on Constantine IX Monomachos without specifying the day of delivery. See *Michael is Pselli orationes panegyricae*, ed. G.T. Dennis (Leipzig and Stuttgart, 1994), 101.341–342: ἐτήσιος εἰσφορά. In the early tenth century Arethas of Caesarea delivered a panegyric of emperor Leo VI the Wise at an Epiphany banquet. See *Arethae archiepiscopi Caesariensis scripta minora*, ed. L. Westerink, vol. 2 (Leipzig, 1972), no. 63, 35–38.

[8] Magdalino, *The Empire of Manuel I Komnenos*, 248. Eight panegyrics of Manuel I were associated with Epiphany celebrations. Their authors were Michael the Rhetor (two works), John Diogenes, Michael *tou Anchialou*, Euthymios Malakes (two works), and Eustathios of Thessloniki (two works). Two of these authors – Michael the Rhetor and Eustathios of Thessaloniki – held the office of master of the rhetors. See Magdalino, *The Empire of Manuel I Komnenos*, 439 and n. 63, 454–56. In the period of the Angeloi emperors (1185–1204) eight orations were composed for delivery at Epiphany by John Kamateros, George Tornikes, John Syropoulos, Niketas Choniates, Constantine Stilbes, Euthymios Tornikes, and Nikephoros Chrysoberges. Two of the orators – George Tornikes and Nikephoros Chrysoberges – held the office of master of the rhetors. Niketas Choniates and Euthymios Tornikes spoke at Epiphany celebrations (in 1190 and 1201, respectively) when the post of the master of the rhetors was vacant. See Regel and Novosadskii, *Fontes*, 244–254, 254–280; M. Bachmann, *Die Rede des Johannes Syropulos an den Kaiser Isaak II. Angelos (1185–1195)* (Munich, 1935), 10–20; Choniates, *Orationes*, 85–100; R. Browning, "An Anonymous *Basilikos Logos* Addressed to Alexios I Comnenus," B, 28 (1958), 36–40; J. Darrouzès, "Les discours d'Euthyme Tornikès (1200–1205)," REB, 26 (1968), 56–72; *Nicephori Chrysobergae ad Angelos orationes tres*, ed. M. Treu (Breslau, 1892), 24–35.

Table 1. *Imperial chrysobulls with preambles*

	Date	Recipient	Publication	Notes
Theodore I Laskaris	March 1221	Monastery of St. John the Theologian on Patmos	*Engrapha Patmou*,[1] no. 13 (= MM 6, 180–82); Dölger, *Regesten* 1755 (dated to 1236)	
Theodore Komnenos Doukas	May 1228	Metropolitan bishopric of Naupaktos	V. Vasil'evskii, VV, 3 (1896), 296–99.	
John III Vatatzes	Aug. 1228	Lembos monastery near Smyrna in Asia Minor	MM 4, 1–4, Zepos, JGR 1, 483–85; Dölger, *Regesten* 1718.	Fragmentary preamble
	Dec. 1228	On church properties in the empire	Zepos, JGR 1, 486–87; Dölger, *Regesten* 1720.	With force of a general law; confirmed by a *prostagma* of Andronikos II (1312): Zepos I, 537–538; Dölger, *Regesten* 2336.
	June 1235	Lembos monastery	MM 4, 18–22; Dölger, *Regesten* 1749.	
John IV Laskaris	Sept. 1258	Lembos monastery	MM 4, 22–26; Dölger, *Regesten* 1853.	
Michael VIII Palaiologos	Jan. 1259	Lavra monastery	Lavra II, no. 71; Dölger, *Regesten* 1866.	
	Jan. 1259	Iviron monastery	Iviron III, no. 58; Dölger, *Regesten* 1867.	
	Jan.–June 1259	Esphigmenou monastery	Esphigmenou, no. 6; Dölger, *Regesten* 1867a (*olim* 2078).	Ending is missing
	April 1259	Monastery of Nea Mone on Chios	MM 5, 10–13; Dölger, *Regesten* 1870.	
	May 1259	Monastery of St. John the Theologian on Patmos	MM 6, 199–201; Dölger, *Regesten* 1871.	
	June 1259	Esphigmenou monastery	Esphigmenou, Appendix A; Dölger, *Regesten* 1875.	Preamble is fragmentary
	Dec. 1262	Lembos monastery	MM 4, 26–28; Dölger, *Regesten* 1915.	
	April 1263	Lavra monastery	Lavra II, no. 72; Dölger, *Regesten* 1917.	
	May 1263	Monastery of the Virgin Chozobiotissa on Amorgos	MM 5, 258–60; Dölger, *Regesten* 1918.	Same preamble as in chrysobull to the monastery of Nea Mone of April 1259
	1267–71	church of Hagia Sophia in Constantinople	Zepos, JGR 1, 659–66; Dölger, *Regesten* 1941a.	
	July 1271	The abbot of the monastery on Mount Sinai	MM 5, 239–40; Dölger, *Regesten* 1981.	*Horismos* with a preamble
	May 1272	Nikolaos Komnenos Maliasenos	MM 4, 330–32; Dölger, *Regesten* 1985.	
	August 1272	Archbishopric of Ohrid	Rhalles-Potles, vol. 5, 266–69; Dölger, *Regesten* 1989a.	
	after Dec. 24, 1273	Promise of Michael VIII not to breach dogmata and laying out concessions to the papacy for the Union of Lyons (1274)	J. Gill, OCP, 50 (1974), 12–18; Dölger, *Regesten* 2002b.	
	Sept. 1274	Nikolaos Komnenos Maliasenos	MM 4, 333–36; Dölger, *Regesten* 2011.	Preamble is fragmentary
	1277–82	Nikolaos Komnenos Maliasenos and Anna Komnene Palaiologina Maliasene	MM 4, 336–39; Dölger, *Regesten* 2031A.	Ending of the chrysobull is missing
	1280/81	*protovestiarites* Demetrios Mourinos	Docheiariou, no. 9; Dölger, *Regesten* 2357 (with a date ca. 1315).	
	early in Michael VIII's reign	*Horismos* on maladministration	L. Burgmann and P. Magdalino, *Fontes Minores*, 6 (1984), 378–84.	

(*cont.*)

Table 1. (*cont.*)

	Date	Recipient	Publication	Notes
Andronikos II Palaiologos	April 1284	Lembos monastery	MM 4, 28–32; Dölger, *Regesten* 2100.	
	Aug. 1284	City of Monemvasia	MM 5, 154–55; Dölger, *Regesten* 2102.	
	April 1287	Monastery of the Virgin Panachrantos in Stelaria	Philotheou, no. 3, Dölger, *Regesten* 2121.	
	March 1289	Eleousa monastery near Phanarion (Thessaly)	MM 5, 253–56; Dölger, *Regesten* 2131.	
	April 1289[2]	Theodore Nomikopoulos	Dölger, *Regesten* 2128.	The preamble is very brief
	July 1289	Monastery of Nea Mone on Chios	Dölger, *Regesten* 2133.	Text fragmentary; full preamble extant
	Aug. 1289	Zographou monastery	Zographou, no. 11; Dölger, *Regesten* 2136.	
	Nov. 1292	Monastery of St. John the Theologian on Patmos	MM 6, 236–38; Dölger, *Regesten* 2149.	
	May 1294 (?)	Eirene of Montferrat, wife of Emperor Andronikos II	MM 5, 268–70; Dölger, *Regesten* 2158	Only preamble by Nikephoros Choumnos is extant
	July 1294	Karakalla monastery	P. Lemerle, *Bulletin de correspondance hellénique*, 60 (1936), 431–33; Dölger, *Regesten* 2169.	
	after 1294[3]	Monastery of the Anastasis in Constantinople and monastery of the Virgin on mount Galesion	MM V, 264–67; Dölger, *Regesten* 2085.	Preamble by Nikephoros Choumnos
	June 1298	Lavra monastery	Lavra II, no. 89, Dölger, *Regesten* 2208.	Preamble by Nikephoros Choumnos (likely)
	Jan. 1299	Chilandar monastery	Chilandar, no. 17; Dölger, *Regesten* 2215	
	June 1301	Metropolitan bishopric of Monemvasia	MM 5, 161–65; Dölger, *Regesten* 2236.	
	June 1301	Metropolitan bishopric of Monemvasia	St. Binon, EO, 37 (1938), 306–10; Dölger, *Regesten* 2237 (see also Dölger, *Regesten* 2238 on its forgery).	
	July 1301	Vatopedi monastery	Vatopedi, no. 31; Dölger, *Regesten* 2239.	
	July 1302	The monk Athanasios Metaxopoulos	Lavra II, no. 94; Dölger, *Regesten* 2382.	Chrysobull sigillion with a preamble
	June 1307	The bishopric of Kanina (Albania)	P. Alexander, B, 15 (1940–41), 167–207; Dölger, *Regesten* 2305 (dated 1316–17).	
	June 1309	Prodromos monastery near Serres	A. Guillou, *Ménécée*, no. 4; Dölger, *Regesten* 2316.	
	Sept. 1310	Pronouncement of the official end of the Arsenite Schism (1265–1310)	V. Laurent, BSHAR, 26 (1945), 297–302; Dölger, *Regesten* 2323.	
	Sept. 1311	Panteleimon monastery	Panteleimon, no. 10; Dölger, *Regesten* 2333.	
	Nov. 1312	On the administration of Mt. Athos	Protaton, no. 12; Dölger, *Regesten* 2342.	

(*cont.*)

Table 1. (*cont.*)

	Date	Recipient	Publication	Notes
	1312/13	Monastery of the Virgin Hodegetria in Mystra	Zepos, JGR 1, 673–77; Dölger, *Regesten* 2341.	
	Nov. 1313	Chilandar monastery	Chilandar, no. 29; Dölger, *Regesten* 2348.	Preamble by Nikephoros Choumnos
	Feb. 1314	Monastery of Ignatios Kalothetos in Verroia	Lavra III, no. 103, Dölger, *Regesten* 2353.	
	July 1317	Chilandar monastery	Chilandar, no. 34, Dölger, *Regesten* 2390.	Reuse of the above preamble of Choumnos
	Feb. 1319	City of Ioannina	MM 5, 77–84; Dölger, *Regesten* 2412.	
	March 1319	Chilandar monastery	Chilandar, no. 42, Dölger, *Regesten* 2416.	
	Feb. 1322	Xenophon monastery	Xenophon, no. 17; Dölger, *Regesten* 2473	
	Feb. 1322	Monastery of Alypiou	Kutlumus, no. 11; Dölger, *Regesten* 2474.	
	June 1324	Prodromos monastery in Verroia	Vatopedi, no. 62; Dölger, *Regesten* 2512.	
	1325–27	grand domestic John Kantakouzenos	MB 1, 193–95; Dölger, *Regesten*, 2600 (undated).[4]	Only the preamble composed by Theodore Metochites is extant
	Oct. 1327	Unnamed supporters of Andronikos II during the First Civil War	Dölger, *Regesten*, 2579 (identical most probably with the chrysobulls which Kantakouzenos I, p. 236.10, mentions).	Two preambles by Gregoras survive. See Appendix to chapter 4, pp. 155–60.
Michael IX Palaiologos	Aug. 1310	Iviron monastery	Iviron III, no. 72; Dölger, *Regesten* 2626.	
	Nov. 1318	Monastery of the Virgin Hodegetria in Mystra	Zepos, JGR 1, 677–81; Dölger, *Regesten* 2633.	
Andronikos III Palaiologos	Jan. 1329	Lavra monastery	Lavra III, no. 118; Dölger, *Regesten* 2733.	
	May 1329	Vatopedi monastery	Vatopedi, no. 68; Dölger, *Regesten* 2746.	

Note: The few documents that are not chrysobulls are indicated in the table. The dating follows Franz Dölger's *Regesten* unless otherwise specified.

1. *Βυζαντινὰ ἔγγραφα τῆς Μονῆς Πάτμου*, vol. 1: *Αὐτοκρατορικά*, ed. E. Vranousi (Athens, 1980).

2. Dölger dated this chrysobull on behalf of Theodore Nomikopoulos to April 1288; however, both the indiction (second indiction) and the year since the creation of the world point to April 1289 as its date.

3. Dölger dated the chrysobull drafted by Choumnos to ca. 1282. It is more reasonable to suggest a date after Choumnos' appointment as *mesazon* (1294) and *epi tou kanikleiou* (1295).

4. The date of this preamble emerges from the reference to John Kantakouzenos as grand domestic. Kantakouzenos was appointed grand domestic in 1325, shortly before the outbreak of the last phase of the First Civil War (1327–28). See D. Nicol, *The Byzantine Family of Kantakouzenos (Cantacuzenus) ca. 1100–1460* (Washington, 1968), 36–40.

open for his students, who delivered similar rhetorical pieces and hoped to impress their highbrow audience enough to ensure that they would be offered a job in the imperial or the patriarchal administration.[9]

The office of master of the rhetors is unattested in Nicaea and appears to have fully lapsed after 1204. The historian Pachymeres speaks of the appointment of Manuel Holobolos as rhetor in 1265 in the context of Michael VIII's policy of reviving old customs.[10] The rhetor was in fact one of those twelfth-century offices which lost clout or fully disappeared in Nicaea. The revived Byzantine empire in Anatolian exile adopted its system of offices and titles from the twelfth-century court hierarchy, although it introduced certain changes. Financial administration lost its extensive scale and was simplified in Nicaea – the pre-1204 financial bureaux, the *secreta*, were no longer in operation. Certain pre-1204 offices were reduced to titular status, such as, for example, that of the logothete of the drome (a minister responsible for the public post and for supervising foreign relations), while other offices completely disappeared, such as, for example, the logothete of the *sekreta*. At the same time, newly created posts connected to the private household of the ruler gained prominence – such as, for example, that of *protoierakarios*, or first falconer, which is attested for the first time after 1204. The bureaucracy of Nicaea has been justly described as a "household government."[11] Although the rhetor belonged to the patriarchal hierarchy, the disappearance of his office was part of a general trend toward simplification of the bureaucracy in Nicaea.

Looking at the fate of eminent literati who lived through 1204 shows that the discontinuity in propagandist practices was also related to individual displacements in the wake of the Latin conquest and settlement. The fragmentation of Byzantium left learned scholar-bureaucrats outside the boundaries of the nascent Nicaean state, including ex-masters of the rhetors and other court panegyrists who had resided in Constantinople

[9] The custom of youths speaking after the rhetor is described in the opening of Euthymios Tornikes' oration of 1201. See J. Darrouzès, "Les discours d'Euthyme Tornikès (1200–1205)," REB, 26 (1968), 56.11–57.4. We know that some of the speeches delivered by young men before the emperor were actually written by experienced literati. See R. Browning, "An Anonymous *Basilikos Logos* Addressed to Alexios I Comnenus," B, 28 (1958), 33, 36.1–2. Cf. also Introduction, 20.

[10] Pachymeres I.ii, 369, esp. 369.24–25: πρὸς τὰ παλαιὰ τῆς Κωνσταντίνου παρακνιζόμενος. In his panegyrics Holobolos himself speaks of the revival of rhetorical traditions, and praises Palaiologos for rekindling the "long-extinguished flames" of rhetoric. See Holobolos, *Orationes*, 30–31, 96.4–5.

[11] M. Angold, *Byzantine Government in Exile: Government and Society under the Laskarids of Nicaea (1204–1261)* (Oxford, 1974), 151 ff., 204–07; M. Angold, "Administration of the Empire of Nicaea," BF, 19 (1993), 127–38; R. Guilland, "Les logothètes, études sur l'histoire administrative de l'Empire byzantin," REB, 29 (1971), 44–45, 78–79; R. Guilland, *Recherches sur les institutions byzantines*, vol. 1 (Berlin, 1967), 600–01.

or had gravitated toward the imperial court. Some former orators found themselves in Epiros, where the ruling family of the Komnenoi Doukai appears not to have favored the continuation of twelfth-century traditions of court rhetoric. For example, Euthymios Tornikes, a former rhetorician under the Angeloi, emigrated at first to the island of Euboea and later moved on to Naupaktos, where we find him in 1222.[12] John Kamateros, another ex-panegyrist, may be identical with the archbishop of Ohrid (d. 1215) of the same name, whose ecclesiastical see lay within the confines of the expansionary kingdom of Bulgaria during his term in office.[13] Other former court orators remained in Latin-held territory. Michael Choniates, the archbishop of Athens, left his see after the Latin conquest and settled on the small island of Keos.[14] Constantine Stilbes became the metropolitan of Kyzikos shortly before 1204; nothing is known of the date of his retirement or death.[15]

Constantinopolitan rhetoricians who emigrated to Nicaea met with a cold reception of their craft at the newly established court in Anatolia. Nikephoros Chrysoberges, the last master of the rhetors before the fall of Constantinople, who had composed a speech for Epiphany day in 1204, settled in the empire of Nicaea but did not retain his former office. In 1213 we find him occupying the metropolitan see of Sardis; he died by 1216.[16] The historian Niketas Choniates – a seasoned rhetorician who had recited eight panegyrics at the court of the Angeloi – tried to introduce Komnenian rhetorical practices in Nicaea, but did not succeed. In his first imperial oration on Theodore I Laskaris, a work which introduced him to the Nicaean sovereign, Choniates urged the emperor not to fear court rhetoric.[17] Although he managed to become Laskaris' official speech

[12] See J. Darrouzès, "Notes sur Euthyme Tornikès, Euthyme Malakès et George Tornikès," REB, 23 (1965), 152–55. In 1222 Euthymios Tornikes was a candidate for the bishopric of Neopatras, but he was not elected.

[13] This has been the hypothesis of V. Laurent, "Un sceau inédit du protonotaire Basile Kamatéros: contribution à la prosopographie byzantine," B, 6 (1931), 266–67. On the other hand, R. Browning ("The Patriarchal School at Constantinople in the Twelfth Century," B, 32 [1962], 198, n. 4) has identified him with Patriarch John X Kamateros (1198–1206). In 1215 Theodore Komnenos Doukas conquered Ohrid, previously held by the Bulgarians. See I. Snegarov, *Istoriia na Ohridskata arhiepiskopiia*, vol. 1 (Sofia, 1924; repr. Sofia, 1995), 207.

[14] G. Stadtmüller, *Michael Choniates. Metropolit von Athen* (Rome, 1934), 184–212.

[15] R. Browning, "The Patriarchal School," B, 33 (1963), 26–32, esp. 31.

[16] As a metropolitan of Sardis, Nikephoros Chrysoberges is attested as a signatory of a patriarchal document of 1213. See A. Pavlov, "Sinodal'naia gramota 1213 goda o brake grecheskago imperatora s docher'iu armianskago kniazia," VV, 4 (1897), 166. In 1216, however, the metropolitan of Sardis was a certain Alexios. See E. Kurtz, "Tri sinodalnyh gramoty mitropolita efesskago Nikolaia Mesarita," VV, 12 (1906), 103. Cf. also R. Browning, "The Patriarchal School at Constantinople," B, 32 (1962), 184–185.

[17] Choniates, *Orationes*, 130.10 ff.

writer, Choniates was disappointed to discover that the Byzantine court in exile lacked appreciation of high-style public oratory. Choniates' second encomium on Theodore I Laskaris bears the intriguing title, "an address composed with clarity because of the weakness of the audience."[18] A gap of about forty years in which no prose encomia survive follows this work. Lack of imperial patronage appears to have contributed to the relative unpopularity of court oratory. In his panegyric of John III Vatatzes, composed between 1250 and 1254, Vatatzes' son Theodore II Laskaris mentioned the emperor's dislike for "refined words."[19]

The poor reception in Nicaea of twelfth-century propagandist practices is in fact one symptom among several of the humbler and less exalted public image projected by the Byzantine imperial office in exile. The loss of Constantinople led to the disappearance of traditional external attributes of the imperial majesty. Some changes were temporary. The first Nicaean emperor, Theodore I Laskaris, did not strike gold coinage, a traditional symbol of Byzantine imperial authority, although his heirs John III Vatatzes and Theodore II Laskaris quickly reverted to issuing gold *hyperpyra*.[20] Nicaean chancery practices also point to elements of discontinuity. The extant imperial charters from Nicaea (most of them from the rich archive of the monastery of the Virgin Lembiotissa near Smyrna) indicate that the chancery consistently avoided issuing chrysobulls – solemn documents of privilege featuring propagandist preambles and the emperor's golden seal.[21] Instead, imperial grants of tax privilege in Nicaea were most often in the form of *prostagmata*, simpler documents which lacked preambles and a golden seal. In similar cases the Komnenian imperial chancery – and after 1261, the Palaiologoi – preferred to issue chrysobulls. Nonetheless, indirect evidence suggests that the Nicaean conquest of extensive territories in Macedonia and Epiros after 1246 led to the issue of a flurry of chrysobulls, especially on behalf of Balkan urban communities; none of these survives.[22]

Other changes in imperial self-presentation after 1204 were permanent. The imposing and "hieratic" chancery script characteristic of official imperial documents issued during the middle Byzantine period fell into

[18] Ibid., 180.2–4. [19] Theodore II, *Encomio*, 49.59: κεκομψευμένους λόγους οἶδα μυσάττῃ.

[20] M. Hendy, DOC, IV, 2 (Washington, 1999), 453.

[21] M. Nystazopoulou-Pelekidou, "Sur la diplomatique byzantine à l'époque de l'empire de Nicée," *Byzantiaka*, 3 (1983), 163–73.

[22] Dölger, *Regesten*, 1789 (Melnik), 1790 (Thessaloniki), 1810 (Kroia). Cf. also Dölger, *Regesten*, nos. 1804b, 1808, 1809, 1819, 1820, 1822, 1822a, 1822b, 1822c.

disuse.[23] An innovation of the Nicaean imperial chancery, which was to have a lasting effect during the entire late Byzantine period, concerned the documents of commercial privilege granted to the Italian maritime republics. It is well known that the Nicaean rulers generally refrained from granting privileges to Western merchants, partly on account of protectionist commercial policies.[24] The only case attested in the Nicaean period before the usurpation of Michael VIII Palaiologos – the privileges to Venice of 1219 – featured a novelty in the document. For the first time the emperor's binding oath to observe the stipulations of the treaty was included in the text of the chrysobull which lacked a preamble.[25] This format stands in contrast with twelfth-century Byzantine chancery documents of privilege to the Italian maritime republics – chrysobulls often featuring lengthy preambles and lacking an imperial oath of guarantee. The documents had therefore resembled unilateral imperial decrees rather than bilateral treaties. After 1204 the emperor's oath was to become a standard element also in Palaiologan chancery documents of commercial privilege to the Italian republics.[26] With respect to other foreign commercial powers however, the emperor continued to issue chrysobulls that lacked his oath, although they, too, lacked a propagandist preamble.[27]

Not all literary expressions of propaganda declined in Nicaea. A type of court rhetoric that enjoyed a good reception in the empire in Anatolian exile was versified lauds of the emperor recited during the *prokypsis* ceremony. The *prokypsis* merits a brief description, especially as this impressive court

[23] Dölger and Karayannopulos, *Byzantinische Urkundenlehre*, 34; A. Heisenberg, *Palaiologenzeit*, 54; N. Oikonomides, "La chancellerie impériale de Byzance du 13ᵉ au 15ᵉ siècle," REB, 43 (1985), 175–76. The earliest chrysobulls after 1204 transmitted in the original date to 1259 (Michael VIII's privileges for Athonite monasteries). Latin characters disappeared from imperial documents after 1204, such as these in the official mark *Legimus*. See Dölger and Karayannopulos, *Byzantinische Urkundenlehre*, 66–67. The so-called "pertinence sentence," which also made use of Latin characters, had already ceased to be used during the twelfth century. See O. Kresten, "Zur sogenannten Pertinenzzeile der byzantinischen Kaiserurkunde," *Byzantina*, 3 (1971), 55–68.

[24] Angold, *Byzantine Government in Exile*, 116–17.

[25] Zepos, JGR, vol. 1, 481–82; Dölger, *Regesten*, 1703.

[26] Dölger and Karayannopulos, *Byzantinische Urkundenlehre*, 94–105, date the break in internal format of imperial documents addressed to foreign recipients to 1261 with the privileges that Michael VIII granted to Genoa in Nymphaion (13 March 1261). This interpretation rests on the fact that the document of 1219 is a chrysobull, while that of 1261 is called a *treva*. Yet the Palaiologoi also issued on behalf of Venice and Genoa chrysobulls, in which the emperor's oath was included. Therefore, the main novelty was the inclusion of the emperor's oath.

[27] See Andronikos II's two chrysobulls of 1296 and 1315 granted to Aragon, Catalonia, Sicily, Valencia, Barcelona, Mallorca, and Tortosa: MM, vol. 3, 97–100; Dölger, *Regesten*, 2184, 2366. Cf. A. Laiou, *Constantinople and the Latins*, 277–78. For a chrysobull to Ancona (1308), see MM, vol. 3, XVI–XIX; Dölger, *Regesten*, 2315.

ritual occupied a central place in late Byzantine ceremonial paralleled only by the mass-oriented celebrations at the Hippodrome in earlier periods. The ceremony, most probably first introduced during the reign of Manuel I Komnenos, featured the solemn sun-like appearance of the emperor and his family on a lit platform.[28] The ceremonial book of Pseudo-Kodinos of the mid fourteenth century describes the pomp of the *prokypsis*. The ceremony took place in the late hours of the day during dominical feasts, such as Christmas, Epiphany, and Palm Sunday. Standing on a special platform in the palace courtyard, the emperor was visible from the knees up, while his brothers, the Despots, were seen only from the chest up. A young page hidden from the audience held up the emperor's sword, which appeared to be hovering in midair. Another page, also unseen by the spectators, held a big lighted candle or torch. After the raising of the curtains, cantors sang chants and recited laudatory poems appropriate for the occasion, which were accompanied by music. The gathered crowds acclaimed the emperor and the empress, the cantors sang their chants again, and then the curtains were closed.[29] This awesome celebration of imperial might persisted into the Nicaean period. In 1240 or 1241 Nicholas Eirenikos composed poems, including *prokypsis* poems, which were to be recited at the wedding ceremony of the emperor John III Vatatzes and his second wife, Anna-Constance of Hohenstaufen.[30]

The usurpation of the imperial office by Michael VIII Palaiologos and the concomitant recapture of Constantinople breathed new life into imperial propaganda and brought back old practices dating back to the pre-1204 period. The initial driving force behind the altered attitude to imperial self-presentation was the need of Palaiologos to legitimize his hold on power. Michael VIII took care of his public image immediately after his coronation as co-emperor in early 1259, an act which was in disregard of the dynastic rights to the succession of the last Laskarid emperor, the minor John IV (1258–61). During the fiscal year 1259, Palaiologos granted numerous tax

[28] M. Jeffreys, "The Comnenian Prokypsis," *Parergon*, n.s. 5 (1987), 38–53, has suggested that the new ceremony was meant to impress the knights of the Second Crusade passing through Constantinople. The earliest reference to *prokypsis* comes in a poem of about 1148 by Manganeios Prodromos on the occasion of the marriage of John Komnenos (nephew of Manuel I) and speaks of the ceremony as an innovation. The most important studies on *prokypsis* are by A. Heisenberg, *Palaiologenzeit*, 85–97, and M. Andreeva, "O tseremonii 'prokipsis'," SK, 1 (1927), 157–173.

[29] Pseudo-Kodinos, 203–204.

[30] A. Heisenberg, *Palaiologenzeit*, 100–105. On the frequently disputed date of the wedding see now the convincing arguments of A. Kiesewetter, "Die Heirat zwischen Konstanz-Anna von Hohenstaufen und Kaiser Johannes III. Batatzes von Nikaia (Ende 1240 oder Anfang 1241) und der Angriff des Johannes Batatzes auf Konstantinopel im Mai oder Juni 1241," *Römische historische Mitteilungen*, 41 (1999), 239–50.

privileges in the form of chrysobulls to his political supporters.[31] Not surprisingly, the largest number of Nicaean chrysobulls featuring propagandist preambles have come down to us precisely from 1259. The preambles present the image of a generous and caring emperor who takes the initiative to grant tax privileges and donations to his subjects.[32] In addition to making an increased use of preambles, Michael VIII revived old ceremonies such as the triumph, a ceremony that had not taken place in Byzantium since the reign of Manuel I Komnenos.[33] Palaiologos organized a triumph at the very beginning of his reign after his spectacular victory at Pelagonia in autumn 1259 against a powerful coalition of Western, Epirote, and Serb forces.[34] More triumphs followed suit. In autumn 1261 the emperor staged a magnificent triumph in Constantinople in honor of the general who had reconquered the imperial capital, caesar Alexios Strategopoulos.[35] In 1281 Palaiologos celebrated another triumph after having inflicted a crushing defeat on Charles of Anjou's invading army at Berat and having captured its commander, the Burgundian knight Hugues le Rousseau de Sully, who was disgracefully paraded on the streets of Constantinople.[36] Michael VIII carefully orchestrated his entry into the recaptured capital on 15 August 1261, fashioning it as a ceremony of thanksgiving to the Virgin-protectress of the city. The emperor himself chose the topics for ten prayers, which the historian George Akropolites composed and the bishop of Kyzikos

[31] Pachymeres I.i, 139. Pachymeres held Michael VIII accountable for this wasteful policy. Cf. chapter 8, 269 ff.

[32] The six chrysobulls issued in 1259 are Lavra II, no. 71 (Dölger, *Regesten*, 1866); Iviron III, no. 58 (Dölger, *Regesten*, 1867); Esphigmenou, no. 6 (Dölger, *Regesten*, 1867a, *olim* 2078); MM, vol. 5, 10–13 (for the monastery of Nea Mone, Chios: Dölger, *Regesten*, 1870); MM, vol. 6, 199–201 (for the monastery of St. John the Theologian, Patmos: Dölger, *Regesten*, 1871); Esphigmenou, Appendix A (Dölger, *Regesten*, 1875). See Table 1. Only the fiscal year 1321, when the First Civil War broke out, features a larger number of chrysobulls, although none features any preamble. See Dölger, *Regesten*, 2451, 2452, 2457 (2654), 2458 (2655), 2459 (2659), 2460, 2466 (2663), 2467 (2664), 2468 (2665), 2469.

[33] Ph. Koukoules, *Βυζαντινῶν βίος καὶ πολιτισμός*, vol. 2, 1 (Athens, 1948), 55–60; cf. M. McCormick, "Triumph," ODB, vol. 3, 2121–22.

[34] Holobolos, *Orationes*, 42.4–20. The captives were paraded in an unidentified city. M. Andreeva, *Ocherki po kul'ture vizantiiskago dvora v XIII veke* (Prague, 1927), 57, has suggested that triumphs were celebrated in the empire of Nicaea. The sources she adduced, however, mention no triumphs. Akropolites spoke of "customary triumphs" of the emperors on Palm Sunday, an annual ceremony which Pseudo-Kodinos calls περίπατος and describes in detail. See Akropolites I, 102; Pseudo-Kodinos, 224–26. A. Heisenberg *Palaiologenzeit*, 82–85. Gregoras III, 167.17–18, speaks of it as a "customary and annual laurel triumph." A letter by Theodore II Laskaris (*Theodori Ducae Lascaris Epistulae*, no. 93, 124–25) referred not to a triumph, but to a celebration in Nymphaion in which churchmen from the Balkans were present.

[35] Holobolos, *Orationes*, 94; Gregoras I, 89. According to Holobolos, the triumph was celebrated in the context of the second imperial coronation of Michael VIII in Constantinople in 1261.

[36] Pachymeres I.ii, 649–653; *Maximi monachi Planudis epistulae*, ed. M. Treu (Breslau, 1890, repr. Amsterdam, 1960), no. 112, 151.

recited.[37] Upon reestablishment of the imperial court and the central administration in Constantinople, Michael VIII initiated the restoration of important church buildings and palaces and the defensive walls of the city. Thus he acted as a public benefactor, and soon after 1261 he assumed the pompous title of "New Constantine" as part of his official signature.[38]

Michael VIII took special care to revive as well as streamline imperial ceremonial. In 1264 he managed at last to depose his enemy, Patriarch Arsenios (1254–60, 1261–64), who had banned him from the fold of the church on account of the sins accompanying his usurpation, and replaced him with a loyal supporter, Patriarch Germanos III (1265–66). The latter duly showed his gratitude to Michael VIII by taking care to polish the emperor's tarnished image. According to Pachymeres, the patriarch was the first to bestow on Michael VIII the title of "New Constantine."[39] He also arranged for an image of Michael VIII portrayed as the New Constantine to be placed between two porphyry columns at the western side of the church of Hagia Sophia.[40] A bronze statue of Michael VIII was erected next to the church of the Holy Apostles, the burial place of Constantine the Great. The statue stood on a high column and portrayed the emperor holding the captured city of Constantinople in his hands and piously offering it to the Archangel Michael, his namesake.[41] Most importantly, Patriarch Germanos III reestablished the post of professional rhetorician in the patriarchal administration. The office was now called "rhetor of the rhetors," or simply "rhetor," instead of the twelfth-century title of master of the rhetors.[42] Its first holder was Manuel Holobolos, a literatus whose biography exemplified the spirit of reconciliation that patriarch and emperor took pains to foster. In 1261 Holobolos had been a young imperial secretary whom Michael VIII punished by ordering that his lips and nose be

[37] See *Synopsis Chronike*, MB, vol. 7, 554.6–8. Akropolites, I, 186, mentions simply that he composed all of them in one day.

[38] A.-M. Talbot, "The Restoration of Constantinople under Michael VIII," DOP, 47 (1993), 243–61. In early 1262 Michael VIII used the epithet New Constantine in an imperial letter to Genoa. See L. Belgrano, "Cinque documenti genovesi-orientali," *Atti della società ligure di storia patria*, 17 (1885), 227 (Dölger, *Regesten*, 1914). For other cases of usage, see R. Macrides, "The New Constantine and the New Constantinople – 1261?," BMGS, 6 (1980), 23, n. 55.

[39] Pachymeres I.ii, 391.5–8. In fact Pachymeres seems to have erred here; see the above note.

[40] Pachymeres II.iv, 675–77. This portrait of Michael VIII on a luxury textile (*peplos*) remained in Hagia Sophia after the end of the Union, until patriarch Athanasios decided during his second term in office (1303–09) to modify the image so that it represented Saint Constantine instead of the New Constantine.

[41] Pachymeres II.iii, 259–261; Gregoras I, 202. The historians report the damaging of the statue during an earthquake, but not when it was erected. For later descriptions of this monument, see Talbot, "The Restoration of Constantinople," 258–260.

[42] J. Darrouzès, *Recherches sur les OFFIKIA de l'Église byzantine* (Paris, 1970), 110–111, 207 and n. 4.

mutilated, because he appeared distressed at John IV Laskaris' blinding. Holobolos had taken the monastic habit at the Prodromos monastery in Constantinople until, in 1265, the emperor decided to recall him from his confinement. As rhetor of the rhetors, Holobolos had the duty of reciting panegyrics of Michael VIII each Christmas – not at Epiphany as the common practice had been during the Komnenian epoch.[43] Three of his panegyrics, addressed to Michael VIII on successive Christmas days, have survived. Holobolos had teaching duties, just as the master of the rhetors in the twelfth century, and boasted in his first panegyric about how far his students had progressed in the study of rhetoric.[44] On 2 February 1267, at the feast of the Purification of the Virgin, the new patriarch Joseph I (1266–75, 1282–83) finally absolved Michael VIII of his sins. The day of the emperor's absolution became a holiday commemorated by the church during the rest of his reign.[45]

In addition to reviving the office of the rhetor, Michael VIII made an enactment about the regular staging of *prokypsis* ceremonies. In an ordinance to his son Andronikos II, issued on the occasion of the latter's coronation as co-emperor in 1272, Michael VIII decreed that *prokypsis* be celebrated on the dominical feast days, no matter whether the junior emperor happened to be in Constantinople or outside.[46] The ceremonial book of Pseudo-Kodinos, dating to the mid-fourteenth century, specifies that the ceremony was staged at Christmas, Epiphany, and Palm Sunday, with the only exception allowed when the emperor was in mourning. In addition, a *prokypsis* was performed in the galleries of the church of Saint Sophia following the rite of coronation and anointing of a new emperor.[47] Given Michael VIII's pronounced interest in his public image, it is probable that he established for the first time *prokypsis* as a regularly staged court ceremony. Twenty *prokypsis* poems from the pen of Holobolos have survived, most of which date to the reign of Michael VIII.[48]

The efforts of Michael VIII to revive old propaganda practices left a mixed legacy to his son Andronikos II (1282–1328). The large number of propagandist texts, both preambles and panegyrics, produced during Andronikos II's reign is doubtless a reflection of the policies of his father.

[43] In fact, there is one case of a twelfth-century master of the rhetors delivering a speech on Christmas Day: Michael the Rhetor in 1155. See Magdalino, *The Empire of Manuel I Komnenos*, 439.

[44] Holobolos, *Orationes*, 96.12–22. On Holobolos as a teacher, see C. Constantinides, *Higher Education in Byzantium in the Thirteenth and Early Fourteenth Centuries (1204–ca. 1310)* (Nicosia, 1982), 52–59.

[45] Pachymeres I.ii, 397–99, 573. [46] A. Heisenberg, *Palaiologenzeit*, 38.13–17.

[47] Pseudo-Kodinos, 226.22–27, 259.

[48] AG, vol. 5, 159–82 (nineteen poems); M. Treu, "Manuel Holobolos," BZ, 5 (1898), 546–547 (a twentieth poem). See below, n. 151.

On the other hand, a powerful propaganda machine similar to the one that had existed in the twelfth century was never reinstituted. No more triumphs are attested after 1281. Although Andronikos II issued numerous chrysobulls, about half of them did not feature preambles.[49] It appears that the chancery made its own judgment by examining each case as to whether to attach a preamble to the imperial chrysobull. The only discernible rule concerns chrysobulls issued simultaneously by two or three co-emperors. In this case the chrysobull of the senior emperor always featured a *prooimion*, while those of his junior colleague or colleagues did not.[50] The preamble thus served to highlight the superior position of the elder ruler.

Furthermore, the practice of delivering annual Christmas panegyrics did not establish itself at the Palaiologan court, despite Michael VIII's reforms. In the period 1274–82 Holobolos again lost Michael VIII's favor because of his adamant opposition to the Union of Lyons. After Andronikos II's accession Holobolos again assumed his former office. He accompanied the emperor on a campaign in Asia Minor in 1284, when Patriarch Gregory of Cyprus (1283–89) expressed his wish that the rhetor should become a messenger of spectacular victories.[51] In addition, Holobolos may have been the author of an imperial oration composed in 1299 or shortly thereafter, of which only a fragment survives. This work differs from his earlier pieces: it carries a vigorous polemic against the opponents to Andronikos II's marriage alliance with the Serbian king Stephan Uroš II Milutin.[52] After Holobolos' death none of his successors as rhetor of the rhetors is known. No other prose panegyric of the Palaiologan period after Holobolos' works was delivered in the context of the annual cycle of court ceremonial. Rather, the remaining panegyrics were occasional works – an age-old Byzantine rhetorical tradition suitable for celebrations and festive occasions at court.

[49] Dölger, *Regesten*, 2095, 2155 (on behalf of Leo Koteanitzes, now considered genuine; cf. Chilandar, no. 12), 2229, 2324, 2376, 2394, 2407, 2432, 2438, 2451, 2452, 2457, 2458, 2459, 2460, 2466, 2467, 2468, 2469, 2485, 2496, 2505, 2514, 2516, 2519, 2520, 2538, 2547, 2559, 2573, 2574, 2577, 2617, 2630, 2634, 2639, 2649, 2650, 2651, 2654, 2655, 2659, 2663, 2664, 2665, 2673, 2704. It is noteworthy that most of the chrysobulls without preambles date to the second half of the reign of Andronikos II.

[50] See the nearly identical chrysobulls issued in July 1317 by Andronikos II (with a preamble) and Andronikos III (without one): Chilandar no. 34 (Dölger, *Regesten*, 2390); Chilandar, no. 35 (Dölger, *Regesten*, 2649). See also the nearly identical chrysobulls issued in March 1319 by Andronikos II (with a preamble), Michael IX (without one) and Andronikos III (again without one): Chilandar, no. 42 (Dölger, *Regesten*, 2416); Chilandar, no. 43 (Dölger, *Regesten*, 2634); Chilandar, no. 44 (Dölger, *Regesten*, 2650).

[51] S. Eustratiades, EPh, 4 (1909), no. 137, 25. In this letter to Andronikos II, Patriarch Gregory of Cyprus asked the emperor to send Holobolos back to Constantinople, for he was needed for his teaching activities. It is possible that Holobolos accompanied Andronikos II during the campaign in order to write victory bulletins; no such bulletins survive from the Palaiologan period.

[52] See, below, p. 70, and chapter 5, 177–79.

By about 1350 we can observe that Christmas panegyrics of the emperor were no longer recited annually, as Pseudo-Kodinos keeps silence about them in his detailed description of Christmas ceremonial.[53] The office of the rhetor continued to exist, although its duties now became more narrowly tied to the church. Fourteenth-century lists of patriarchal officials disagree as to his function, described as ranging from delivering annual imperial orations to speaking to church congregations to writing sermons for the use of bishops and interpreting the scriptures.[54] During the fifteenth century, in the Greek patriarchate under Ottoman rule, the "grand rhetor" (*megas rhetor*) was entirely concerned with dogmatic issues.[55] This already appears to have been a supplementary duty of the rhetor during the early Palaiologan period – Holobolos himself composed homilies and took an active part in church councils.[56]

Divorced from the annual cycle of court ceremonial, the delivery of imperial panegyrics after Michael VIII's reign was dependent on patronage and the popularity of rhetorical performances at the court. Andronikos II was an avid listener to panegyrics in his honor, as the orators themselves did not fail to remark.[57] By contrast, his seditious grandson Andronikos III, who succeeded him after the First Civil War, was the recipient of a single panegyric by Nikephoros Gregoras. As Gregoras complained in his history, Andronikos III introduced a rather informal and unceremonious style at the court, most probably in order to distinguish himself from his grandfather, whom he had deposed.[58] The thirteen surviving imperial orations from the remainder of the Palaiologan period (1330–1453) show a

[53] Pseudo-Kodinos, 212–18. The ceremonial book speaks of two banquets, one on Christmas Eve and on Christmas Day itself. Christmas carols, not panegyrics, are mentioned. See ibid., 214.6–11.

[54] Darrouzès, *Recherches sur les OFFIKIA*, 549, no. 14; 554, no. 23; 568, no. 21; 571, no. 18. One of the fourteenth-century lists, list G, mentions the delivery of imperial panegyrics as the rhetor's duty. A Moscow manuscript containing this list (ibid., 207) adds that the rhetor delivered panegyrics at Christmas and Easter. Darrouzès rightly considered this information anachronistic and deceptive. There is no evidence at all for Easter panegyrics; nor are Christmas panegyrics attested after Holobolos. The rhetor is mentioned again in an anonymous versified list of imperial and patriarchal officials dating to the 1330s. See Pseudo-Kodinos, 338.143–144, where the official is called πρῶτος ῥητόρων. Jean Verpeaux has dated this list to Andronikos III's reign (1328–41). See Pseudo-Kodinos, 329.

[55] A fifteenth-century grand rhetor after 1453 was Matthew Kamariotes, a commentator on Hermogenes and an Orthodox opponent of Gemistos Plethon. See H. Hunger, *Die hochsprachliche profane Literatur der Byzantiner*, vol. 1 (Munich, 1978), 79, 88. An early sixteenth-century grand rhetor, Manuel of Corinth, also attacked Plethon. See C. Woodhouse, *Gemistos Plethon: The Last of the Hellenes* (Oxford, 1986), 362–63.

[56] The homilies of Maximos Holobolos were especially popular among the Orthodox Slavs. See Ch. Hannick, *Maximos Holobolos in der kirchenslavischen homiletischen Literatur* (Vienna, 1981). Pachymeres II.iii, 103.17, mentions that Holobolos opened the Second Council of the Blachernae (1285), which reexamined the views of the Latinophile ex-patriarch John XI Bekkos. In addition, he was the recipient of a theological tract by the Dominican friar Simon. See further n. 148.

[57] See chapter 5, p. 165. [58] Gregoras I, 565–66.

similarly unbalanced pattern of distribution over time, evidently predicated on patronage.[59] While the imperial panegyrics in the second half of the fourteenth century were few and brief, court rhetoric flourished again in the first half of the fifteenth century, when the emperors Manuel II Palaiologos (1391–1425), John VIII Palaiologos (1425–48) and the last Byzantine emperor Constantine XI Palaiologos (1449–53), appear to have been active patrons of court oratory.

The context of performance of the panegyrics varied. Typical occasions for writing encomia of the emperor were military campaigns and imperial coronations.[60] The rest of the panegyrics appear to have been delivered at informal sessions of the court. During the heyday of court oratory in the reigns of Michael VIII and Andronikos II, the recitation of panegyrics took place in rhetorical performances in which several orators took part. An encomiast of Michael VIII noted that imperial panegyric was a contest for different speakers, some better and others worse.[61] Maximos Planoudes described in detail such a contest in his panegyric of Michael IX

59 The imperial orations of the period between 1330 and 1453 are the following: (1) Nikephoros Gregoras on Andronikos III: A. Westermann, *Excerptorum ex Bibliothecae Paulinae Lipsiensis libris manuscriptis pars prima* (Leipzig, 1864); (2) Patriarch John XIV Kalekas on John V Palaiologos: P. Ioannou, "Johannes XIV. Kalekas, Patriarch von Konstantinopel, unedierte Rede zur Krönung Johannes' V.," OCP, 27 (1961), 43–45; (3) Demetrios Kydones on John VI Kantakouzenos: G. Cammelli, "Demetrii Cydonii orationes tres, adhuc ineditae," BNJ, 4 (1923), 77–83; (4) Nicholas Cabasilas on Matthew Kantakouzenos: M. Jugie, "Nicolas Cabasilas, Panégyriques inédits de Mathieu Cantacuzène et d'Anne Paléologine," IRAIK, 15 (1911), 113–18; (5) John Chortasmenos on Manuel II Palaiologos: H. Hunger, *Johannes Chortasmenos (ca.1370– ca.1436/37), Briefe, Gedichte und kleine Schriften* (Vienna, 1969), 217–24; (6) Demetrios Chrysolaras on Manuel II Palaiologos: S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3 (Athens, 1926), 222–45 (entitled "Comparison between Rulers of Old and the New Emperor Manuel Palaiologos"). See J. Barker, "On the Chronology of the Activities of Manuel II Palaeologus in the Morea in 1415," BZ, 55 (1962), 39–55; (7–8) Isidore of Kiev and an anonymous author on both Manuel II Palaiologos and John VIII Palaiologos: S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3, 132–99 (Isidore of Kiev's work is published as anonymous), 200–21; see S. Mercati, *Scritti d'Isidoro il Cardinale Ruteno e codice a lui appartenuti che si conservano nella Biblioteca Apostolica Vaticana* (Vatican City, 1926), 6–7; (9) anonymous author on John VIII Palaiologos: S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3, 292–308; (10–12) John Argyropoulos on Constantine XI Palaiologos: S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 4 (Athens, 1930), 67–82 (wrongly attributed to Michael Apostolis); S. Lampros, *Ἀργυροπούλεια* (Athens, 1910), 8–28 (a consolatory address), 29–47; (13) John Dokeianos on Constantine XI Palaiologos: S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 1 (Athens, 1912–1923), 221–231.

60 Campaigns: Niketas Choniates (his second oration on Theodore I Laskaris), Jacob of Bulgaria, and Theodore Metochites (his second imperial oration); coronations: Maximos Planoudes and Patriarch John XIV Kalekas (see above, n. 59). By contrast, weddings in the imperial family appear to have been celebrated by a *prokypsis* ceremony during which versified panegyrics were delivered. In addition to the wedding of John III Vatatzes and Anna-Constance of Hohenstaufen, the wedding between Theodora, the daughter of John IV Kantakouzenos, and the Ottoman emir Orhan, which took place in Selymbria in 1346, provided an occasion for staging a *prokypsis*. See above n. 30; Kantakouzenos II, 587.

61 Previale, "Un panegirico inedito," 16.12–17.4.

Palaiologos delivered in May 1294. He mentioned that the coronation of Michael IX as co-emperor was followed by days of feasting and rhetorical performances. A few days earlier, when another orator had ended his fine speech, the emperor pointed to Planoudes and another member of the audience, saying "this man spoke today, you will speak tomorrow."[62] Thus Planoudes participated in a rhetorical show which lasted for more than a single day. The audience of the panegyrics included, besides the emperor, his entourage of officials and prominent ecclesiastics. The orators always addressed the emperor in the second person, usually calling him "most divine emperor." Occasional references were made to the collective presence of the audience, giving us an insight into the intended public delivery of the work.[63] The identity of specific members of the audience is sometimes known. In his oration on Michael VIII, Gregory of Cyprus referred to his mentor, the grand logothete George Akropolites, and praised him for his intellect. It is likely that Akropolites was in the audience of Manuel Holobolos' second speech (ca. 1266).[64] George Akropolites himself writes in his history that in 1261, after Constantinople's recapture, he composed a panegyric of Michael VIII. The audience included, besides the emperor, the highest dignitaries of the empire: Despot John Palaiologos (Michael VIII's brother), caesar Alexios Strategopoulos, and *sebastokrator* Constantine Tornikes.[65] A substantial number of ecclesiastics must have been listening to Jacob of Bulgaria's panegyric of John III Vatatzes.[66]

Where were the panegyrics delivered? The works sometimes provide clues as to the place of performance. Imperial encomia from the tenth through the twelfth centuries refer to banquets or reception halls at the imperial palace.[67] Manuel Holobolos' three speeches may have been delivered at the annual Christmas banquet which is described as a custom

62 Planoudes, "Basilikos," BSl, 27 (1966), 102.77–79.

63 Theodore II, *Encomio*, 61.392–393: ὦ πάντες ἄνθρωποι; Metochites, Cod. Vindob. phil. gr. 95, f. 158 r.: ὦ παρόντες; Planoudes, "Basilikos," BSl, 27 (1966), 62.62–64, 102.94; BSl, 28 (1967), 56.216; Cf. Demetrios Kydones, BNJ, 4 (1923), 78.24.

64 Gregory of Cyprus, PG, vol. 142, col. 381A; Holobolos, *Orationes*, 73.24–74.11. Holobolos summed up here the content of the thanksgiving prayers composed by Akropolites (I, 186) at the time of Michael VIII's entry in Constantinople on 15 August 1261.

65 Akropolites I, 188–89.

66 Jacob of Bulgaria, 84.10–11: ὦ παμμιγὲς χοροστάσιον; 90.22: ὦ χριστεπώνυμον χοροστάσιον.

67 In his Epiphany panegyric of Manuel I Komnenos, Eustathios of Thessaloniki alluded to feasting. See Regel and Novosadskii, *Fontes*, 53.7–11. Some of the panegyrics of Arethas of Caesarea in the early tenth century were delivered at banquets. See G. T. Dennis, "Imperial Panegyric: Rhetoric and Reality," in H. Maguire (ed.), *Byzantine Court Culture from 820 to 1204* (Washington, 1997), 136. In the eleventh century Michael Psellos delivered a panegyric of Romanos IV Diogenes in a reception hall (κλητόριον). See *Michaelis Pselli orationes panegyricae*, ed. G. T. Dennis (Stuttgart and Leipzig, 1994), 182.

at court in the mid-fourteenth century.[68] Theodore II Laskaris recited his encomium on John III Vatatzes at a banquet, because he made frequent allusions to feasting and invited famous kings of the past to join the current feast.[69] No steady rule, however, governed the choice of a place for performance. The panegyrics were sometimes delivered outside the palace and outside the imperial capital, as were the speech of Jacob of Bulgaria and the second imperial oration of Theodore Metochites. The *prokypsis* ceremony, accompanied by the recitation of versified encomia, could also be staged outside Constantinople. Michael VIII's injunctions of 1272 to his newly crowned son and co-emperor Andronikos II expressly stipulate that *prokypsis* is to be performed even if the junior emperor is away from the imperial capital.[70] Thus a variety of places for performance corresponded to a variety of occasions necessitating the recitation of a panegyric.

Another genre of court rhetoric often containing laudation of the ruler was the burial oration. Six speeches designed for imperial funerals survive from the period.[71] There is no doubt that these works were composed for the purpose of oral recitation. The historian Nikephoros Gregoras wrote that he recited his two burial orations in memory of Andronikos II and Andronikos III before the weeping imperial family.[72] The element of encomium in these works varied. George Akropolites' epitaph on John III Vatatzes contains a lengthy praise of the emperor and provides a plethora of specific information. By contrast, Staphidakis' monody on Michael IX consists solely of a lamentation. The public performance of imperial panegyrics and burial orations distinguishes these works from encomia on the emperor which were incorporated into private letters or book dedications.[73]

[68] See above n. 53.

[69] Theodore II, *Encomio*, 69.597–600; 73.706–707, 73.715–716, esp. 76.783–77.799.

[70] Heisenberg, *Palaiologenzeit*, 38.13–15.

[71] The burial orations in question are (1) George Akropolites on John III Vatatzes (d. 1254): Akropolites II, 12–29; (2–3) Theodore Hyrtakenos and Staphidakis on Michael IX (d. 1320): AG, vol. 1, 254–269; A. Meschini, *La monodia di Stafidakis* (Padua, 1974); (4–6) Manuel Philes, Nikephoros Gregoras, and Theodore Kabasilas on Andronikos II (d. 1332): *Manuelis Philae Carmina*, vol. 2, ed. E. Miller (Paris, 1857; repr. Amsterdam, 1967), 375–76; Gregoras I, 465–72; S. Kourouses, "Ὁ μέγας διοικητὴς Θεόδωρος Καβάσιλας," EEBS, 42 (1975–76), 408–28, text on 423–28.

[72] Gregoras I, 465, 472 (his audience burst into tears after he had finished his burial eulogy of Andronikos II), 560.

[73] John Apokaukos, the bishop of Naupaktos in the early thirteenth century, incorporated short panegyrics in many of his private letters to the Epirote ruler Theodore Komnenos Doukas. For encomia incorporated into the dedication of literary works, see the ecclesiastical history of Nikephoros Kallistos Xanthopoulos, PG, vol. 145, cols. 560–601; the preface of Metochites' *Introduction to Astronomy*, in B. Bydén, *Theodore Metochites' Stoicheiosis Astronomike and the Study of Natural Philosophy and Mathematics in Early Palaiologan Byzantium* (Göteborg, 2003), 417–43; the dedication of Manuel Philes' zoological work mixed with a panegyric of Michael IX Palaiologos, in F. Dübner and F. Lehrs, *Poetae bucolici et didactici* (Paris, 1851), 3.

These private encomia will be used only as supplementary evidence in the analysis of the public panegyrical discourse.

OLD MODELS, CONTEMPORARY CONCERNS: ON LEVELS OF READING BYZANTINE COURT ORATORY

Studying the imperial panegyrics and preambles comparatively is not an easy task. The chief problem does not lie in understanding their often high-flown language, but is rather one of methodology. How can we wrest historically meaningful insights from these complicated texts, the panegyrics especially? Analyzing the panegyrics on their own literary terms and pursuing questions of genre and the influence of rhetorical models is doubtless a legitimate investigative avenue in a comparative study. Byzantine court orators and the imperial chancery certainly followed established models and openly admitted to be doing so. The orators themselves referred to the existence of rhetorical rules in their speeches. For example, they addressed the emperor with the phrase "it was necessary that you" – hinting that they were fitting the imperial image into a mold.[74] The Laskarid and Palaiologan imperial chanceries sometimes placed the very same preamble in two different documents.[75] This fact, together with the survival of collections of model preambles, demonstrates that the chancery had the habit of reusing and rehashing old material.

A focus on the application of models would pose, however, problems for our analysis – problems especially evident in the case of court oratory. For one thing, a model-oriented approach tends to overlook the remarkable readiness of Byzantine authors to break away from guidelines on how to write court rhetoric. Most importantly, this approach underestimates the existence of several rhetorical handbooks as well as a classical and late antique rhetorical tradition that the authors could – and did – emulate. In terms of models, therefore, the orators clearly had a choice. Examining the different handbooks and models of court oratory can help us to gain an

[74] For references to rhetorical rules see Gregory of Cyprus, PG, col. 389B; Choumnos, AG, vol. 2, 7; Lampenos, *Encomium*, 31.17–33, 77.13–17. For the expression "it was necessary," see Holobolos, *Orationes*, 32.36; Gregory of Cyprus, PG, vol. 142, cols. 363C, 376C; L. Previale, "Un panegirico inedito," 20.15–17.

[75] See the identical preambles of Michael VIII's chrysobulls on the monasteries of St. John on Patmos (1259) and the monastery of the Virgin Chozobiotissa on Amorgos (1263): MM, vol. 6, 199–201 (Dölger, *Regesten*, 1871); MM, vol. 5, 258–60 (ibid., 1918). Cf. H. Hunger, *Prooimion*, 36. Andronikos II's chrysobull on Chilandar in 1317 reused parts of a preamble composed by Nikephoros Choumnos for a chrysobull of 1313. See Chilandar, no. 29 (Dölger, *Regesten*, 2348) and ibid., no. 34 (Dölger, *Regesten*, 2390).

insight into how orators set about writing imperial encomia. This examination will also enable us to propose levels of reading and interpreting propagandist texts beyond the simple application of rhetorical models.

Imperial panegyric occupied an important place in the generic classifications of Byzantine rhetoric. The chief theoretician of rhetoric in Byzantium, Hermogenes (second century A.D.) adopted the triple generic division of oratory suggested by Aristotle's *Rhetoric* (1358b): judicial, deliberative or counseling, and "epideictic" or panegyrical. The last category of rhetoric, the epideictic, can be described as the rhetoric of praise and blame as well as of public display and celebration; it included speeches such as encomia, epitaphs, consoling speeches, invectives, nuptial orations, and welcoming addresses. The main Byzantine handbook on how orators should compose epideictic speeches was the one attributed to Menander of Laodicea (second–third century A.D.). Menander's handbook includes an influential chapter on the imperial oration (*basilikos logos*), which it defines as "a generally agreed amplification" of the emperor's virtues and deeds.[76] According to Menander, the imperial oration was to open with a rhetorical statement of the exceeding difficulty facing the orator and to contain standard components: a praise of the emperor's native city and family, of his birth and upbringing, and of his achievements in times of war and peace. The orator was to laud the deeds of the emperor within the context of the four cardinal virtues (derived ultimately from the fourth book of Plato's *Republic*): intelligence (*phronesis*), bravery (*andreia*), justice (*dikaiosyne*), and moderation (*sophrosyne*). Another important virtue was the emperor's philanthropy (*philanthropia*), displayed in his merciful attitude toward captured enemies and his lenient dispensation of justice in peacetime. In discussing specific virtues and in summing up the emperor's achievements, the orator was to compare him with famous kings of the past and to argue that the current ruler was by far their superior. Finally, the speech was to end with a prayer on behalf of the sovereign and his offspring.

Menander's chapter on the imperial oration remained popular in the period after 1204. Cases of literal borrowing bespeak its influence on contemporary rhetorical practice.[77] The impact of Menander can be also

[76] *Menander Rhetor*, ed. D. Russell and N. Wilson (Oxford, 1981), 76–96, here 76 (368.3–5): ὁ βασιλικὸς λόγος ἐγκώμιόν ἐστι βασιλέως· οὐκοῦν αὔξησιν ὁμολογουμένην περιέχει τῶν προσόντων ἀγαθῶν βασιλεῖ. The attribution of the work to Menander is doubtful. See ibid., xi.

[77] Orators used the very same word "unattainable" (ἀνέφικτος), by which Menander referred to an orator's difficulty in praising the emperor. See Choumnos, AG, vol. 2, 1; Metochites, Cod. Vindob. phil. gr. 95, f. 81 r. For another expression from Menander used by late Byzantine orators, see chapter 4, n. 4.

detected indirectly. Late Byzantine orators knew that Menander had given them the option of writing a shorter, somewhat less solemn speech in praise of the emperor than the full-blown imperial oration – a speech Menander called an "address" (*prosphonema* or *prosphonetikos logos*).[78] Several of the imperial panegyrics of the period are indeed shorter than the rest, praise a single imperial deed or virtue, and in most cases bear the title of "address" to the emperor.[79] Furthermore, Menander's chapter on the imperial oration was incorporated into late Byzantine rhetorical handbooks and rhetorical manuscripts. The *Rhetorica Marciana*, a handbook whose composition dates to the thirteenth century, contains Menander's chapter on the imperial oration.[80] A fourteenth-century rhetorical manuscript, the *Rhetorica Monacensis*, transmits Menander's chapter alongside the corpus of Hermogenes and Aphthonios.[81] Finally, *The Summation of Rhetoric*, an important Palaiologan rhetorical manual compiled by Joseph the Philosopher (ca. 1280–ca. 1330) and partly based on the *Rhetorica Marciana*, also quotes in full Menander's guidelines on imperial panegyric. Joseph the Philosopher noted that they provide the outline for the composition of any kind of encomium.[82] Joseph was an important member of the constellation of literati under Andronikos II, and his biography deserves some attention. Born on the Latin-held island of Ithaca, he migrated early in his life to Thessaloniki and then to Constantinople, where he resided in one of its urban monasteries. He was sufficiently politically connected to be offered on four occasions (in 1310, 1315, 1320, and 1323) the post of patriarch of Constantinople, which he persistently

[78] Russell and Wilson, *Menander Rhetor*, 76–95, 165–71.

[79] These shorter panegyrics comprise Niketas Choniates' second encomium on Theodore I Laskaris, the speech by Theodore Hyrtakenos, the four orations by Nikephoros Gregoras, and the oration by Manuel Gabalas (Matthew of Ephesos). Most of the works – those by Hyrtakenos, Gregoras, and Matthew of Ephesos – bear the title προσφώνημα or προσφωνητικὸς λόγος. Choniates' oration is entitled "To the Emperor" (εἰς τὸν βασιλέα). Jacob of Bulgaria's encomium on John III Vatatzes is called προσφωνητικὸς εἰς τὸν αὐτοκράτορα, while being in every essential aspect a full-blown imperial oration, dealing in detail with the emperor's virtues and deeds and ending with a prayer for him and his offspring.

[80] V. de Falco, "Trattato retorico bizantino (Rhetorica Marciana)," *Atti della società ligustica di scienze e lettere*, n.s., 9, fasc. 2 (1930), 71–124. This treatise, an introduction to the corpus of Hermogenes, survives in three manuscripts of the thirteenth and fourteenth centuries. De Falco, "Trattato," 71–73, dated the treatise to the late twelfth or the early thirteenth century. I am inclined to date the work to the period after 1204 from the comment that the panegyrist should begin by praising the origin of his subject, whether a Frank or a Byzantine. See ibid., 99.

[81] H. Rabe, "Rhetoren-Corpora," *Rheinisches Museum für Philologie*, 67 (1912), 321–57, esp. 345–57. Cod. Monac. gr. 505 dates to the fourteenth century. Most of the manuscripts of the handbook of Menander Rhetor are late Byzantine. See Russell and Wilson, *Menander Rhetor*, xl–xliv.

[82] C. Walz, *Rhetores Graeci*, vol. 3 (Stuttgart, 1834), 547–58.

declined.[83] Joseph is known to have composed an oration mixing lauds and counsels, and his rhetorical manual formed part of his ambitious, largely derivative encyclopedia, covering also the subjects of mathematics, music, and theology.[84]

In addition to Menander, other rhetorical manuals guided court orators in composing panegyrics. Handy instructions on how to compose an encomium figured in the *Progymnasmata* of Hermogenes (second century A.D.) and Aphthonios (fourth century A.D.) – two influential schoolbooks used in Byzantine rhetorical studies.[85] The rhetorical corpus of Hermogenes included, besides *Progymnasmata*, four other treatises: *On Ideas*, *On Issues*, *On Invention*, and *On Rhetorical Subtlety*. Here Byzantine rhetoricians found detailed descriptions of various rhetorical devices and guidelines on how to write in the genre of epideictic rhetoric. Hermogenes, for example, taught court rhetoricians how to use a specific kind of panegyrical argumentation: presenting arguments that were not causal and made little or no logical sense but served to praise the addressee.[86] The curriculum of Byzantine secondary education traditionally favored the study of rhetoric through the corpus of Hermogenes, or portions thereof, as a main textbook. An entry in the tenth-century *Suda* encyclopedia states that every literate Byzantine was acquainted with Hermogenes.[87] In the early thirteenth century Nikephoros Blemmydes studied rhetoric by reading Hermogenes.[88] In the late thirteenth century the teacher Maximus Planoudes produced a

83 For the biography of Joseph the Philosopher, see M. Treu, "Der Philosoph Joseph," BZ, 8 (1899), 1–64, esp. 33–34. Most of what we know about Joseph is derived from Metochites' burial oration, published by Treu, and Joseph's own autobiographical preface to his encyclopedia, published by Walz, *Rhetores Graeci*, vol. 3, 467–77.

84 On Joseph's intermediary role in the First Civil War, see Kantakouzenos I, 28–30 and further chapter 5, p. 167. On Joseph's encyclopedia see Treu, "Der Philosoph Joseph," 45–46; N. Terzaghi, "Sulla composizione dell'Enciclopedia del filosofo Giuseppe," *Studi italiani di filologia classica*, 10 (1902), 121–32; R. Criscuolo, "Note sull' 'Enciclopedia' del filosofo Giuseppe," B, 44 (1974), 255–81. The yet unpublished encyclopedia survives as an unbroken work only in Cod. Riccard. 31, while its various books circulated independently, including the rhetorical treatise.

85 *Aphthonii Progymnasmata*, ed. H. Rabe (Leipzig, 1926), 21–27; *Hermogenis Opera*, ed. H. Rabe (Leipzig, 1913), 14–18.

86 Hermogenes, *On Invention*, in *Hermogenis Opera*, 162–64. In his *Summation of Rhetoric* Joseph the Philosopher also dealt with the distinction between the two types of argumentation, logical (characteristic of political discourse) and panegyrical (characteristic of epideictic rhetoric). See Walz, *Rhetores graeci*, vol. 3, 514.

87 *Suidae Lexicon*, ed. A. Adler, vol. 2 (Leipzig, 1931), 415.12: τέχνην ῥητορικήν, ἣν μετὰ χεῖρας ἔχουσιν ἅπαντες. See P. Lemerle, *Le prémier humanisme byzantin* (Paris, 1971), 196, 254.

88 *Nicephori Blemmydae Autobiographia*, I, 4, ch. 4. Two rhetorical manuscripts containing treatises by Hermogenes were produced in 1244–54 (Vat. gr. 105) and 1251 (Vat. gr. 106). See N. Wilson, *Scholars of Byzantium* (Cambridge, Mass., 1996, rev. edn.), 225; C. Constantinides, "Teachers and Students of Rhetoric in the Late Byzantine Period," in E. Jeffreys (ed.), *Rhetoric in Byzantium* (Aldershot, 2003), 47.

new edition of Hermogenes' corpus and the *Progymnasmata* of Aphthonios, which he furnished with introduction and extensive commentary.[89]

There are indications that Byzantine imperial panegyrists followed Hermogenes' and Aphthonios' rules at least as frequently as those of Menander. The manuscript titles of the full imperial panegyrics usually call them simply an "encomium" or "encomiastic speech" (as in Hermogenes and Aphthonios) rather than an "imperial oration" (as in Menander).[90] It is true that Menander, Aphthonios, and Hermogenes agreed on a number of similar components for an encomium, for example: a rhetorical opening describing the orator's difficulty, the use of comparisons and the praise of virtues. Yet there also were slight differences. Hermogenes and Aphthonios differed from Menander in advocating the praise of bodily virtues – a component prominently featured in panegyrics of Michael VIII and Andronikos II.[91] Notably, explicit references to the existence of rhetorical rules appear precisely in panegyrics of the first two Palaiologoi.[92] It is thus likely that the orators who mentioned rules had in mind the rhetorical handbooks of Hermogenes and Aphthonios.

Another rhetorical treatise known to orators during the early Palaiologan period was the *Rhetoric* of Aristotle. In his first oration on Michael VIII, Holobolos pointed out that an encomium should deal with the family, birth, external appearance, and virtues of the person praised. Holobolos also noted that there were many commendable virtues beyond the four cardinal ones: generosity, experience, fairness, sagacity, righteousness, intelligence, and all those virtues by which Aristotle and other ancient moral philosophers had once set great store.[93] Holobolos thus acknowledged Menander's system of four cardinal virtues, alluded to the *progymnasmata* of Hermogenes and

89 C. Wendel, "Maximos Planudes," *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*, vol. 20, 2 (Stuttgart, 1950), 2230–32. The commentaries by Planoudes were published by Walz, *Rhetores Graeci*, vol. 5 (Stuttgart, 1833), 212–576. They were mostly derivative and seem to have rested on the commentaries of an anonymous tenth-century commentator as well as those of John Sikeliotes (fl. ca. 1000). See G. Kustas, *Studies in Byzantine Rhetoric* (Thessaloniki, 1973), 21–22. A detailed study on the commentaries on Hermogenes is a desideratum.

90 The full-blown imperial orations are called either "encomium on the emperor" (ἐγκώμιον εἰς τὸν αὐτοκράτορα) as Gregory of Cyprus' and Nikephoros Choumnos' works or "encomiastic speech" (λόγος ἐγκωμιαστικός) as Lampenos' speech. Holobolos' three Christmas panegyrics of Michael VIII bear the manuscript titles λόγος or λόγος ἐγκωμιαστικός.

91 Holobolos, *Orationes*, 72.31 ff. Gregory of Cyprus, PG, vol. 142, cols. 356B, 360B, 396CD, 397A, 416A; Choumnos, AG, vol. 2, 4, 40; Planoudes, BSl, 27 (1966), 102.113; BSl, 28 (1967), 56.245 ff. Metochites, Cod. Vindob. phil. gr., fol. 85 v.; Gregoras, B, 41 (1971), 514.129–140.

92 See above, n. 74.

93 Holobolos, *Orationes*, 32.16–35. It is possible that Holobolos was referring here to the ethical treatises of Aristotle. In the second half of the thirteenth century Theodore Skoutariotes, metropolitan of Kyzikos and unionist, owned a manuscript of Aristotle's *Rhetoric* and *Poetics* in his private library (Paris, Bibl. Nat., Cod. gr. 1741). See D. Harlfinger and D. Reinsch, "Die Aristotelica des Parisinus

Aphthonios when referring to bodily virtues, and explicitly mentioned Aristotle, in whose philosophy he is known to have been interested.[94]

The panegyrists learned standards of what constitutes good rhetoric not only from manuals and treatises. Specimens of court oratory from earlier eras of Byzantine history, especially from the Komnenian period, were read, copied, and cherished in the thirteenth century. For example, the famous Escorial manuscript Y.II.10 of twelfth-century rhetorical works, including numerous panegyrics of emperors and patriarchs, circulated in late Byzantium. Anonymous late Byzantine readers wrote exultant notes in the margins and praised the rhetorical works for their exceedingly beautiful style. The manuscript was available to Palaiologan literati interested in imperial panegyric, who inserted into it a folio containing several of Holobolos' *prokypsis* poems.[95] A thirteenth-century manuscript containing examples of eleventh- and twelfth-century court oratory, as well as parts of Menander's rhetorical guidebook, is Cod. Barocci 131. Some of the model preambles and two of Holobolos' panegyrics were copied in this manuscript, which may have well been used by teachers of rhetoric.[96]

Another model available to rhetoricians were panegyrics that were recently addressed to the current emperor. The reign of Andronikos II was a period of intellectual ferment, in which literary circles and salons flourished. The panegyrics were among the works which the literati read carefully and critically. Court orators are known to have published imperial panegyrics after the oral delivery. In one of his autobiographical accounts Theodore Metochites cared to mention the publication of his two imperial orations, not their recitation.[97] In addition, contemporary letter exchange shows that literati connected to the court of Andronikos took an active interest in each other's imperial orations. In a letter to the bishop of Philadelphia Theoleptos, Nikephoros Choumnos spoke of a magnificent imperial oration composed by his friend and future intellectual and political

Gr. 1741," *Philologus*, 114 (1970), 28–50. Cf. Th. M. Conley, "Aristotle's *Rhetoric* in Byzantium," *Rhetorica*, 8 (1990), 29–44.

94 The interests of Holobolos in Aristotelian logic are manifest in his translation of Boethius' works (see below, n. 146). However, his alleged authorship of a commentary on Aristotle has been disproved (see below n. 154).

95 The production of this manuscript has been dated to shortly before 1204. See G. de Andrés, *Catálogo de los códices griegos de la Real Biblioteca de El Escorial*, vol. 2 (Madrid, 1965), 120–31 (with references to further bibliography). The marginal notes are indicative of late Byzantine assessments: "Notice how beautiful!" (ση. ὡραῖον ὅλον), "Notice how wonderful!" (ση. θαυμάσιον). See ibid., 131.

96 N. Wilson, "The Date and Origin of Ms. Barocci 131," BZ, 59 (1966), 305–06; N. Wilson, "A Byzantine Miscellany: Ms. Barocci 131 Described," JÖB, 27 (1978), 157–79. Cf. Browning, *Notes on Byzantine Prooimia*, 10–11.

97 See below, n. 166.

foe, Theodore Metochites.[98] Manuel Gabalas (known also as Matthew of Ephesos) thanked Joseph the Philosopher for having preserved a copy of an oration in which he praised Andronikos II. After having recited this piece the author lost his copy, which subsequently passed through many hands and happily ended up with his friend, Joseph the Philosopher.[99] Michael Gabras, a secretary to Andronikos II, sent an imperial oration to his friends-literati and asked them to render their critical judgement.[100] He had not been able to deliver the work orally and instead had sent it to the emperor – a statement which suggests that public delivery was the norm.[101] Manuel Gabalas responded by praising Michael Gabras for this admirable oration, which he claimed that he had been reading and relishing for an entire night.[102] The literary afterlife of the imperial panegyrics after their oral delivery provided them with another, though limited, audience – a circumstance that helps explain remarkable similarities in content in orations in praise of Andronikos II.

An important source of literary inspiration for learned rhetoricians at Andronikos II's court was classical and late antique Greek oratory, primarily that of Demosthenes, Aelius Aristides, and Themistius. In his rhetorical treatises composed in the second century A.D. Hermogenes had used examples of ancient Greek authors to illustrate different rhetorical strategies and styles. In the late thirteenth century classical authors became themselves textbooks for rhetorical studies at the university level in addition to rhetorical handbooks. At the root of this remarkable "renaissance" movement to study rhetoric directly from classical and late antique examples was the teacher and patriarch Gregory of Cyprus (1241/2–89). Throughout his life Gregory of Cyprus placed enormous importance on studying as well as teaching rhetoric. In his autobiography he took pride in his stellar progress in rhetorical studies when attending classes taught by the grand logothete George Akropolites.[103] In the period from about 1273 until March 1283,

98 J. Boissonade, *Anecdota nova* (Paris, 1844; repr. Hildesheim, 1962), no. 91, 126–27.

99 *Die Briefe des Matthaios von Ephesos im Codex Vindobonensis theol. gr. 174*, ed. D. Reinsch (Berlin, 1974), no. 112, 113.54–59: περιφερόμενος δ', ὡς ἔοικε, καὶ ἐξ ἑτέρου εἰς ἕτερον μετακυλινδούμενος... εὐτυχῶς μάλα καὶ κατ' εὐχὴν ἐμοὶ πρὸς σὲ σέσωσται. Cf. S. Kourouses, *Μανουὴλ Γαβαλᾶς εἶτα Ματθαῖος Μητροπολίτης Ἐφέσου (1271/72–1355/60)* (Athens, 1972), 184, and n. 3 (hereafter Kourouses, *Manuel Gabalas*).

100 *Die Briefe des Michael Gabras (ca. 1290–nach 1350)*, ed. G. Fatouros (Vienna, 1973), vol. 2, no. 281, 439–40 (letter to Theodore Xanthopoulos); no. 284, 442 (letter to the *protapostolarios* Kabasilas Sophos).

101 Ibid., no. 286, 444–45.

102 Paris, Bibl. Nat., Cod. gr. 2022, ff. 185 v.–186 r. For the content of this letter, see Kourouses, *Manuel Gabalas*, 142–146.

103 W. Lameere, *La tradition manuscrite de la correspondance de Grégoire de Chypre, Patriarche de Constantinople (1283–1289)* (Brussels, 1937), 185.24–30.

before his appointment to the patriarchal office, Gregory of Cyprus was a well-known teacher, most likely in an educational establishment at the Constantinopolitan monastery of Christ Akataleptos. A late Byzantine historian praised Gregory of Cyprus for having revived the long-forgotten Attic tradition of the Greek language.[104] Gregory of Cyprus was also a fervent bibliophile and classicist who possessed and cherished manuscripts of Demosthenes, Aelius Aristides, and Themistius.[105] Aristides (second century A.D.) and Themistius (ca. 317–ca. 388) are significant among these authors, for both had composed imperial orations.[106] The rhetorical manual of Joseph the Philosopher would point to Themistius as a model for writing imperial panegyrics in a philosophical style.[107] The role of Aristides as a model for encomia was also not negligible. In a letter to Constantine Akropolites, the son of George Akropolites, Gregory of Cyprus mentioned that Aristides was studied at schools and observed that his imperial oration

104 Gregoras I, 163: τὸν ἐν ταῖς γραφαῖς εὐγενῆ τῆς Ἑλλάδος ῥυθμὸν καὶ τὴν Ἀττικίζουσαν γλῶσσαν ἐκείνην, πάλαι πολὺν ἤδη χρόνον λήθης κρυβέντα βυθοῖς, . . . οἱονεί τινα ἐχαρίσατο ἀναβίωσιν. On the teaching activities of Gregory of Cyprus, see Constantinides, *Higher Education*, 35–42, 152–53.

105 Gregory of Cyprus frequently mentioned manuscripts of Aristides in his works. See S. Eustratiades, EPh, 1 (1908), no. 26, 245; no. 38, 434; EPh, 2 (1908), no. 62, 206; 3 (1909), no. 75, 13–14; 5 (1910), no. 169, 215–16. He copied parts of a manuscript (Paris, Bibl. Nat., Cod. gr. 2998) containing orations by Demosthenes and Themistius as well as works by Aristides, Libanios, and Synesios. See E. Gamillscheg, D. Harlfinger, and H. Hunger, *Repertorium der griechischen Kopisten 800–1600*, II. *Frankreich*, A. *Verzeichnis der Kopisten* (Vienna, 1989), no. 99, 57. Cf. Constantinides, "Teachers and Students of Rhetoric in the Late Byzantine Period," 47. It is noteworthy that the earliest surviving manuscripts of Themistius' orations date to the thirteenth and the fourteenth century. Cf. *Themistii orationes quae supersunt*, vol. 1, eds. H. Schenkl and G. Downey (Leipzig, 1965), VIII–XII. Gregory of Cyprus arranged the production of a Demosthenes manuscript for the *protovestiarissa* Theodora Raoulaina Kantakouzene Palaiologina (ca. 1240–1310), a niece of Michael VIII and a widow of the *protovestiarios* John Raoul (d. before 1274). See S. Eustratiades, EPh, 5 (1910), no. 187, 450–52. Theodora herself copied an Aristides manuscript (Vat. gr. 1899). See D. Nicol, *The Byzantine Family of Kantakouzenos (Cantacuzenus) ca. 1100–1460* (Washington, 1986), 16–18. A nun after the death of her second husband and an Arsenite partisan, she refounded in about 1283–84 the Constantinopolitan monastery of St. Andrew *en Krisei* where Patriarch Arsenios' relics were housed. She possessed a large monastic library and was a correspondent of Gregory of Cyprus, Maximos Planoudes, and Nikephoros Choumnos.

106 While Themistius wrote a number of orations addressed to emperors of the late fourth century, Aelius Aristides had written only one imperial oration, whose authorship has been the subject of controversy. The editor of Aristides' works, Bruno Keil, thought that the author of the panegyric was not Aristides, but an anonymous tenth-century writer. See *Aelii Aristidis Smyrnaei quae supersunt omnia*, ed. B. Keil, vol. 2 (Berlin, 1898; repr. 1958), 253. E. Barker, *Social and Political Thought in Byzantium* (Oxford, 1957), 220–25, considered Aristides' panegyric a tenth-century Byzantine rhetorical exercise. However, there are solid arguments in favor of authorship by Aristides. See C. P. Jones, "Aelius Aristides. ΕΙΣ ΒΑΣΙΛΕΑ," *Journal of Roman Studies*, 62 (1972), 134–52; C. P. Jones, "Themistius and the Speech *To the King*," *Classical Philology*, 92 (1997), 149–52.

107 Walz, *Rhetores Graeci*, vol. 3, 521. Themistius is mentioned together with a number of authors exemplifying philosophical rhetoric, among whom Synesius and Michael Psellos are significant. Psellos was author of imperial orations, while Synesius became a model for Thomas Magistros' mirror of princes. See chapter 6, pp. 189–91.

was well sought-after, possibly in order to serve as a model for contemporary panegyrists.[108] As a teacher Gregory of Cyprus imparted classical interests to his students, some of whom were to become politically powerful imperial bureaucrats. Among them was certainly the future *mesazon* Nikephoros Choumnos. Another future *mesazon*, Theodore Metochites, may have also been a disciple of Gregory of Cyprus.[109] When in the years 1325–26 Choumnos and Metochites (the ex- and the current prime minister of Andronikos II) confronted each other in a bitter intellectual dispute fueled by political rivalry, Choumnos remembered that Gregory of Cyprus had taught his students rhetoric by making them read Plato, Aristides, and Demosthenes.[110] After his fall from power in 1328 Metochites himself wrote that he had been constantly reading Demosthenes and Aristides since childhood. Of the two authors, his personal preference lay with Aristides.[111] It is not surprising that Metochites emulated Aristides' complex Attic style, which he made even more intricate. The influence of Aristides is evident already in the panegyrics of Andronikos II, which Metochites composed at the outset of his literary career, in his early twenties.

The existence of numerous handbooks and models for court rhetoric has important implications for our study. For one thing, it helps to explain the wide-ranging variation in the panegyrics' style, language, and function at court. No encomium is identical with another. While some works closely adhered to Menander's, Hermogenes', or Aphthonios' guidelines in following the prescribed content and structure for an encomium, even these pieces were not limited by the handbooks. Therefore a comparative analysis tracing the application of rhetorical rules in the panegyrics is

108 Gregory of Cyprus wrote this letter to the logothete *tou genikou* Constantine Akropolites after becoming patriarch of Constantinople in 1283. See Eustratiades, EPh, 5 (1910), no. 169, 215–16. Gregory of Cyprus asked Akropolites to lend him an Aristides manuscript that had once belonged to a certain Atzonas, now deceased. Gregory of Cyprus wanted to use this manuscript to fill in gaps in his own codex, which he had acquired two years earlier. The previous owner of his codex had torn off folios of the imperial oration and other works. Gregory of Cyprus explicitly remarked that the Aristides manuscript would serve educational purposes.

109 I. Ševčenko, *Études sur la polémique entre Théodore Métochite et Nicéphore Choumnos* (Brussels, 1962), 41, n. 4, has suggested that Metochites may have attended classes taught by Gregory of Cyprus before 1283. These classes would have been part of Metochites' secondary education. In any case, Metochites respected Gregory of Cyprus enormously, for in the dispute between Metochites and Choumnos Gregory of Cyprus was an intellectual point of reference.

110 See one of Choumnos' polemical treatises against Metochites (*To Those Who Are Annoyed at the Criticism of Being Unclear and Inept Rhetoricians and Who Practice Astronomy Contrary to Plato and His Opinions*), AG, vol. 2, 367–72. See also his earlier treatise *On the Value and Efficacy of Eloquence*: ibid., 360, where Choumnos claimed that the ancient rhetoricians were the best.

111 Metochites made this remark in a work devoted to the critical comparison between Demosthenes and Aristides. See M. Gigante, *Saggio critico su Demostene e Aristide* (Milan, 1969), 47.15: ἐξέτι παιδὸς ἀεὶ καὶ πρὸς ἀμφοῖν κάθημαι.

hardly warranted, and it can be especially counter-productive in a study of the political significance of court oratory. From a strictly literary viewpoint, the imperial orations are united by a few common features. All were written in a laudatory and celebratory style. All were couched in what their authors deemed to be high Greek. The authors chose selectively and thoughtfully rhetorical devices from the handbooks and from earlier specimens of court oratory. Common rhetorical ploys were the use of panegyrical arguments and comparative figures (both historical and mythological), the fitting of imperial actions into virtues, and the outline of an imperial biography in the case of the full panegyrics. All the authors chose to report virtues and events that they considered appropriate to imperial ideology and fit for the specific emperor or times.

With these considerations in mind, we can propose four levels of analysis of the propagandist texts. The first and simplest level of analysis (see chapter 2) is that of a systematic examination of the imperial virtues and the emperor's public image in general. The goal of this approach is to isolate a core of common ideological values as well as to trace changing ideological emphases in the reigns of successive emperors. This approach will deal with issues of continuity and change in the official political ideology of the empire. The second level of analysis is more interpretative, and involves the singling out of a subset of ideological values present in the propagandist texts. These ideological values pertain to governmental policy and make possible the study of the ideology and rhetoric of imperial government in action.[112] The preambles and the panegyrics complement themselves neatly in the investigation of governmental ideology. The preambles shed light on the emperor's ideological position with respect to recipients of economic privilege. The panegyrics, on the other hand, provide information concerning social policies on which particular emperors placed ideological weight. Furthermore, some court orators tended to make theoretical commentaries on imperial virtues related to the exercise of government, in accordance with ideas of "philosophical rhetoric" that were in vogue.[113] The third and fourth levels of analysis are relevant solely to the panegyrics and do not apply to the preambles. The court orators never admitted that they were composing historical accounts and took pains to distinguish themselves from historians, referring to themselves instead as rhetoricians, poets, or encomiasts.[114]

[112] See below chapter 4, pp. 134–60. [113] On philosophical rhetoric, see Introduction, pp. 21–22.
[114] Jacob of Bulgaria, 82.27 ff.: the historian's work is longer than his speech; Holobolos, *Orationes*, 55.31–35: the historians are more detailed in their accounts and omit nothing, while the work of the panegyrist is shorter and more elaborate in terms of style; Gregoras, Paris, Bibl. Nat., Cod. gr. 3040, f. 29 r.: the difficulty of the orator is not the same as that of the historian.

They also described themselves as painters and sculptors whose artistic material was the spoken word.[115] Yet, in fact, they were writing official biographies of the emperor, including the important moment of his accession to the throne. The panegyrics thus constitute a unique window into Byzantine rhetorical interpretations and theories of imperial succession (see chapter 3).[116]

The fourth level of analysis takes into account the active and independent role of the orators in Byzantine court life. At first glance, this level of analysis contradicts Menander's description of epideictic rhetoric and the propagandist nature of the speeches. The personal concerns and agendas of the orators, which undoubtedly existed, were supposed to remain hidden below the glittering surface of laudatory discourse. There are, however, sufficient textual clues pointing to a tendency of the speakers to display publicly their individual interests and political concerns. Scholars have already drawn attention to this lobbying function of imperial panegyric, although much remains to be said concerning particular cases and different periods of the development of Byzantine court culture.[117] The usages and functions of court oratory after 1204, the period in which we are interested, doubtless rest on earlier traditions, and these traditions allowed for departure from the purely panegyrical discourse. The most vivid memory must have been of rhetorical usages in the Komnenian period. In the eleventh and the twelfth century the composition of panegyrics and other works of epideictic rhetoric formed an essential part of the literary output of Byzantine literati. In the twelfth century in particular, men of letters tended to address panegyrics to patrons from among the powerful and privileged Komnenian aristocracy.[118] The connection between the composition of pieces of occasional rhetoric and patronage affected the system of promotions in the patriarchal and the imperial bureaucracy. Scholars have associated individual displays of rhetorical craft with promotions of officials in the patriarchal administration under the Komnenoi. As we have already seen, successful public displays of oratorial ability could secure one an entry into the imperial bureaucracy as well.[119] The close connection between rhetoric and patronage left its trace in the content of the imperial panegyrics, as requests for favors from the emperor or expressions of gratitude were incorporated

[115] Holobolos, *Orationes*, 38.33–35; Choumnos, AG, vol. II, 3–4. [116] See chapter 3, pp. 116–33.
[117] Dennis, "Imperial Panegyric: Rhetoric and Reality," 136–37.
[118] See Magdalino, *The Empire of Manuel I Komnenos*, 335–56.
[119] H. Hunger, "Rhetorik als politischer und gesellschaftlicher Faktor in Byzanz," in G. Ueding (ed.), *Rhetorik zwischen den Wissenschaften: Geschichte, System, Praxis als Probleme des "Historischen Wörterbuchs der Rhetorik"* (Tübingen, 1991), 106–07. See Introduction, pp. 20–21.

into laudatory works. The earliest example in middle Byzantine court oratory seems to be an imperial panegyric which the polymath and historian Michael Psellos (1018–after 1081) closed by appealing for the benevolence of the emperor Constantine IX Monomachos (1042–55); in another oration he petitioned the emperor Michael VIII Doukas (1071–78) to protect him against personal foes.[120] Similar comments are discernible in imperial orations of the twelfth century as well.[121]

What is more important, counsels couched in hortatory language as to specific imperial policies also crept into the panegyrics. The use of court oratory as tactful speech of advice and edification for emperors had important precedents in the period of late antiquity. At that time rhetoricians such as Themistius presented themselves as enjoying independence of status (*parrhesia*) vis-à-vis imperial authority, indulged in abstract commentaries on the principles of kingship and voiced carefully crafted reminders as to the general duties and specific policies of the emperor.[122] The study and emulation of late antique rhetorical works must have brought along an awareness of the political potential of court oratory. In the eleventh and twelfth centuries, a period of flowering of court oratory, the late antique usage appears not to have been fully forgotten. Hortatory expressions made their way into imperial panegyrics, always as simple asides taking up a small portion of the text and sometimes aligned with the emperor's interests, and hardly amounting to real political advice.[123] Yet in the late twelfth century we find carefully crafted and genuinely political counsels in imperial panegyrics by Niketas Choniates and Nikephoros Chrysoberges composed for

[120] *Michaelis Pselli orationes panegyricae*, 49–50, 127–30.

[121] The general Manuel Straboromanos sent to Alexios I Komnenos (1081–1118) a panegyric asking for a favor. See P. Gautier, "Le dossier d'un haut fonctionnaire d'Alexis I^er Comnène. Manuel Straboromanos," REB, 23 (1965), 168–204. In 1138 Michael Italikos wrote a panegyric of John II Komnenos (1118–43), in which he thanked the emperor for having turned a deaf ear to slanderers who had objected to his appointment to a teaching office at the patriarchate. See *Michel Italikos. Lettres et discours*, ed. P. Gautier (Paris, 1972), 246.26–28, 268.28–269.22.

[122] P. Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison, 1992), 61–70. See J. Vanderspoel, *Themistius and the Imperial Court* (Ann Arbor, 1995), 29, 162–66, with examples of political appeals in the orations of Themistius.

[123] In his panegyric of Alexios I Komnenos (delivered in 1088) Theophylaktos of Ohrid called for the inevitable: "Why do you not make your imperial son [John II Komnenos] known as emperor, but shun the desired proclamation?" See Gautier, *Théophylacte d'Achrida*, 235.10–11: Τί μὴ τὸν βασιλέα υἱὸν καὶ βασιλέα γνωρίζεις, ἀλλ' ἀναδύῃ τὴν ποθουμένην ἀνάρρησιν; At that time John Komnenos (b. 1087) was less than an year old, while the legitimate successor was Constantine Doukas (d. ca. 1095), Michael VII's son and Anna Komnena's first husband. By publicly urging Alexios to make his son co-emperor, Theophylaktos promoted the interests of the Komnenian dynasty.

formal occasions at court.[124] The element of counsel and policy-direction multiplied in imperial panegyrics of the late Byzantine period, as chapter 5 will demonstrate. It is worthwhile to mention here the definition of rhetoric for which Maximos Planoudes opted in the preface to his edition of the corpus of Hermogenes and Aphthonios. Quoting a score of discordant definitions of rhetoric by Plato, Aristotle, and others, Maximos Planoudes put forth his favorite definition, which modified that of Dionysius of Halicarnassus (first century A.D.): rhetoric was "the skill concerning the power of speech in political matters, having as its purpose the persuasive discourse by accepted means."[125] Indeed, Planoudes' panegyric of Michael IX freely mixed laudatory and counseling discourse. The manuscript title calls his work an imperial oration (*basilikos*). This is the only panegyric in the period, together with those of Theodore Metochites, that bears such a title. It is noteworthy that the second speech by Metochites, as it will be shown, also mixed normative and panegyric discourse. In his *Miscellanea* Metochites referred to Dio Chrysostom's four orations on Trajan (works replete with abstract philosophical discussion) and Synesius' mirror of princes *On Kingship* as imperial orations (*basilikoi*).[126] These works significantly differ from Menander's descriptions of celebratory epideictic rhetoric. The new and potentially revolutionary understanding of what constituted an imperial oration persisted. In 1449 the scholar John Argyropoulos (ca. 1393/94–1487) addressed an oration, which was mostly a theoretical discourse on kingship containing counsels, to the last Byzantine emperor, Constantine XI Palaiologos. This work bears the title *Imperial Oration or On Kingship (basilikos e peri basileias)* in some manuscripts, and thus combines the genres of imperial oration and mirror of princes.[127] One may conclude that the late Byzantine view of the imperial oration was not rigid and was adaptive

[124] D. Angelov, "Domestic Opposition to Byzantium's Alliance with Saladin: Niketas Choniates and His Epiphany Oration of 1190," BMGS, 30 (2006), 49–68; C. Brand, "A Byzantine Plan for the Fourth Crusade," *Speculum*, 43 (1968), 462–75.

[125] *Prolegomenon Sylloge*, ed. H. Rabe (Leipzig, 1931; repr. 1995), 65.16–19: ἀλλὰ δοκεῖ τῶν λοιπῶν ἄμεινον ὁρίσασθαι τὴν ῥητορικὴν ὁ οὕτως ὁρισάμενος 'ῥητορική ἐστι τέχνη περὶ λόγου δύναμιν ἐν πράγματι πολιτικῷ, τέλος ἔχουσα τὸ πιθανῶς εἰπεῖν κατὰ τὸ ἐνδεχόμενον'. Planoudes slightly modified the definition of rhetoric by Dionysius of Halicarnassus in his work *On Imitation*. He substituted the expression "having as its purpose the persuasive speech" for "having as its purpose the good speech" (τέλος ἔχουσα τὸ εὖ λέγειν).

[126] Metochites, *Miscellanea*, ch. 19, 146: ὁ δ' οὖν βασιλικὸς Συνεσίου οἶμαι. . . . οὐκ ὀλίγα τῶν Δίωνος βασιλικῶν ἀποφέρεται.

[127] S. Lampros, Ἀργυροπούλεια (Athens, 1910), 29 (title), 46–47, where Argyropoulos argued that Western help was the only hope for saving Constantinople from Turkish conquest. By contrast, according to him, the futile disputes over dogmatic issues after the Union of Ferrara-Florence (1439) harmed Byzantine interests.

to non-laudatory usages. Traditional elements of laudation could, and did, coexist with theoretical and even prescriptive discourses.

THE AUTHORS AND THEIR WORKS

Examining the specific context in which panegyrics and preambles were composed helps us to situate these works within the biographies of their authors. The panegyrists ranged from semi-professional rhetoricians who delivered three or more speeches (Niketas Choniates and Manuel Holobolos) to eminent teachers (Gregory of Cyprus, Maximos Planoudes, and Theodore Hyrtakenos) to ecclesiastics (Jacob, archbishop of Ohrid, and Matthew, candidate-bishop of Ephesos). One of the speakers was the emperor's son and heir to the throne, Theodore II Laskaris. A special category among the orators were young literati who delivered imperial orations at the very beginning of their careers: Nikephoros Choumnos, Theodore Metochites, and Nikephoros Gregoras. Later on in life, when they worked at the imperial bureaucracy, they composed preambles for chancery documents. Almost all orators were well-known Byzantine authors whose rich literary output far exceeds works of occasional rhetoric. Their literary renown doubtless ensured the survival of the imperial encomia they wrote. And it can hardly be doubted that panegyrics by less prominent authors must not have come down to us.

The first two imperial panegyrics surviving after 1204 were works of Niketas Choniates (1155/57–1217), a judge and high-standing civil servant under the Angeloi, and a famous historian.[128] Niketas Choniates had been involved in rhetorical performances of panegyrics at the court of the Angeloi emperors before 1204. After the sack of Constantinople he wrote a panegyric of Theodore I Laskaris focusing on a recent campaign against David Komnenos, the ruler of Trebizond. This work dates to late 1206 or 1207.[129] Its heading illuminates the context of composition: "A speech written in order to be read to Theodore I Laskaris when Kaloyan [the tsar of Bulgaria] ravaged the western portions of the empire." Still a refugee living in Thrace or Constantinople, Choniates did not deliver the oration in person, but

[128] Choniates, *Orationes*, 129–46, 170–75.

[129] On the date of the speech, see J.-L. van Dieten, *Niketas Choniates, Erläuterungen zu den Reden und Briefen Nebst einer Biographie* (Berlin and New York, 1971), 45–47. The manuscript title suggests that the speech must date before the death of the Bulgarian king Kaloyan in 1207. Cf. B. Sinogowitz, "Über das byzantinische Kaisertum nach dem vierten Kreuzzuge (1204–1205)," BZ, 45 (1952), 335–56, esp. 346–47.

sent it to the Nicaean emperor in an attempt to attract his attention. In Nicaea Choniates penned one more imperial oration, which celebrated the spectacular defeat of the Seljuk sultan Kaykhusraw I in 1211 at the battle of Antioch-on-the-Meander.[130] Choniates, however, failed to obtain the political clout in Nicaea for which he had hoped and died an embittered man. In the final version of his *History* Choniates omitted positive characterizations of Theodore I Laskaris which he had made in an earlier redaction.[131]

A few brief versified encomia have survived from the period of decline of Nicaean court rhetoric after Choniates. Some of them were composed by Nikephoros Blemmydes (1197/98–ca.1269). A renowned polymath and author of two fascinating autobiographical works, Blemmydes preferred the monastic vocation to civil office. He was close to the emperor John III Vatatzes, was the tutor of John III's son Theodore II Laskaris, and took part in ecclesiastical disputes at the Nicaean court with papal representatives. Blemmydes wrote three encomiastic poems: a eulogy thanking John III Vatatzes for giving him a fair trial after a certain Romanos unjustly accused him of *lèse-majesté* (ca. 1237–39), verses consoling Vatatzes at the death of his wife Eirene Laskarina (1239), and a poem celebrating the birth of John IV Laskaris (1250).[132] Authors of versified imperial encomia dating to the Nicaean period also were the patriarch Germanos II (1223–40) and Nicholas Eirenikos (*prokypsis* poems).[133]

Vatatzes was the recipient of two prose panegyrics at the very end of his reign, between 1250 and 1254. The author of the first work was his son Theodore II Laskaris – an immensely learned emperor, prolific writer, and

[130] Choniates, *Orationes*, 180.2–4. The battle is dated to 1211 in Islamic sources. See A. Savvides, *Byzantium in the Near East: Its Relations with the Seljuk Sultanate of Rum in Asia Minor, the Armenians of Cilicia and the Mongols (AD c. 1192–1237)* (Thessaloniki, 1981), 100. Van Dieten, *Niketas Choniates, Erläuterungen*, 161–62, referred to conflicting scholarly views, dating the battle to 1210 or to 1211.

[131] *Nicetae Choniatae Historia*, ed. J.-L. van Dieten, 544, addition to line 19. See van Dieten, *Niketas Choniates, Erläuterungen*, 48–49. Choniates complained about his mistreatment in Nicaea in a letter addressed to Theodore I's brother-in-law, Basil Kamateros, who was about to depart for Armenia. See Choniates, *Orationes*, 209–211. Choniates turned to theological studies in Nicaea and composed there his *Thesaurus of Orthodoxy*.

[132] A. Heisenberg, *Nicephori Blemmydae curriculum vitae et carmina* (Leipzig, 1896), 100–109, 110–111; J. Bury, "An Unpublished Oration of Nicephorus Blemmydes," BZ, 10 (1901), 418–421. The dating of the first two pieces follows Joseph Munitiz's reconstruction of the biography of Nikephoros Blemmydes. See J. Munitiz, *Nikephoros Blemmydes. A Partial Account* (Leuven, 1988), 14–28, esp. 20–21. John IV Laskaris must have been born around Christmas 1250, for he was not yet eight years old at the time of his father's death in August 1258, and Blemmydes' poem makes allusions to Christmas. See Akropolites I, 154.10–13.

[133] K. Horna, "Die Epigramme des Patriarchen Germanus II," *Analekten zur byzantinischen Literatur* (Vienna, 1904/1905), 32. For Eirenikos' poems, see above n. 30.

political thinker, whose ideas we examine elsewhere in this book.[134] His panegyric of Vatatzes is the only imperial oration of the late Byzantine period written by a member of the immediate imperial family. Theodore II himself was aware of his unusual position, and expressed his fear that an encomium of one's father might make the audience laugh and might be misinterpreted as self-praise.[135]

The author of the second oration on John III, Jacob of Bulgaria, was a Peloponnesian by birth and served as the archbishop of Ohrid – hence the surname "of Bulgaria."[136] We do not know how close Jacob was to the Nicaean court, but he was certainly a friend of Nikephoros Blemmydes and high-standing Nicaean aristocrats. Jacob became the archbishop of Ohrid in 1241. For an unknown reason he fled from the see of Ohrid between 1248 and 1250, when he mourned in Thessaloniki the death of the grand domestic Andronikos Palaiologos, the first Nicaean governor of that city after its recapture from Epiros in 1246. By 1250 he was no longer archbishop of Ohrid and later became a monk on Mount Athos.[137] He composed the imperial panegyric of John III Vatatzes in winter 1252–53 during the emperor's campaign against the Epirote ruler Michael II Komnenos Doukas (ca. 1230–67) and Michael II's uncle, the blinded ex-emperor, Theodore

[134] Theodore II, *Encomio*, 47–79 (L. Tartaglia, *Opuscula rhetorica: Theodorus II Ducas Lascaris* (Munich, 2000), 24–66). The oration of Theodore II has been dated by Luigi Tartaglia (Theodore II, *Encomio*, 16–17 and 93, n. 17) to the period 1250–54 because of the reference to a disputation with papal envoys at the Nicaean court (Theodore II, *Encomio*, 56–58). I concur with Tartaglia that the disputation in question should be the one of 1249–50, and not the previous one in 1234, since in the latter case Theodore II would have been only twelve years old. One has also to agree with Tartaglia that the panegyric is not an epitaph, as Margarita Andreeva argued. See M. Andreeva, "À propos de l'éloge de l'empereur Jean III Batatzès par son fils Théodore II Lascaris," SK, 10 (1938), 133–44.

[135] Theodore II, *Encomio*, 48.35 ff.

[136] S. Mercati, *Collectanea Byzantina*, vol. 1 (Bari, 1970), 81–93.

[137] On the biography of Jacob of Bulgaria, see I. Duichev, *Prinosi kum srednovekovnata bulgarska istoriia (Contributions à l'histoire bulgare du Moyen âge)* (Sofia, 1940), 6–18 (repr. in *Bulgarsko srednovekovie* (Sofia, 1972), 225–41); Duichev, "Die letzten Jahre des Erzbischofs Iakobos von Achrida," BZ, 42 (1943/9), 377–383; Duichev, "Un nouveau témoignage de Jacque de Bulgarie," BSl, 21 (1960), 54–61. See also S. Mercati, "Sulla vita e sulle opere di Giacomo di Bulgaria," in *idem, Collectanea Byzantina*, vol. 1 (Bari, 1970), 100–13. In 1248 Jacob was still in Ohrid, as he presented a manuscript to the church of Saint Clement in Ohrid. See the marginal note published by I. Duichev, "Un nouveau témoignage," which also reveals the name of Jacob's mother (Kale) and father (the monk Isaias). In 1250, however, the archbishop of Ohrid was Constantine Kabasilas. See Papadopoulos-Kerameus, *Analekta*, vol. 1, 474; Snegarov, *Istoriia na Ohridskata arhiepiskopiia*, vol. 1, 211. In his *monodia* on Andronikos Palaiologos Jacob of Bulgaria explicitly mentioned that he had fled Ohrid. See Mercati, *Collectanea*, vol. 1, 73.5–6. Nikephoros Blemmydes dedicated a treatise on the procession of the Holy Spirit (PG, vol. 142, cols. 533–66) to Jacob of Bulgaria. Heisenberg, *Nicephori Blemmydae curriculum vitae et carmina*, XLVI, dated this work to the period 1250–54, most probably ca. 1253. In the late thirteenth century the unionist patriarch John XII Bekkos read Blemmydes' treatise and mentioned that its addressee was an Athonite monk: PG, vol. 141, cols. 976D–977A.

Komnenos Doukas.[138] The speech may have been given in Thessaloniki, in the emperor's camp in Edessa, or in Ohrid.[139]

George Akropolites' lengthy and informative burial oration complements the two panegyrics of Vatatzes written at the end of his reign, and enables us to form a clearer picture of Nicaean official propaganda. The author publicly delivered the speech in November 1254, to judge by the frequent references to the audience, which included senators and Theodore II Laskaris.[140] George Akropolites (1217–82) was an imperial secretary and teacher at the Nicaean court.[141] A close friend, teacher, and correspondent of Theodore II Laskaris, Akropolites was an unscrupulous and opportunistic man. Shortly after Theodore II's death in 1258, he switched his political allegiance from the Laskarids to the Palaiologoi, rose to the post of Michael VIII's grand logothete, and wrote a history of Nicaea from the Palaiologan perspective, in which he attacked Vatatzes and Theodore II. Akropolites seems to have been in the forefront of the revival of rhetorical studies in the mid-thirteenth century. He taught rhetoric to Theodore II Laskaris and Gregory of Cyprus.[142]

The rhetor of the rhetors Manuel Holobolos (d. before 1310) – author of the earliest surviving panegyrics of Michael VIII – had a character and standards of moral probity quite different from those of Akropolites and somewhat incompatible with his post of official speech-writer.[143] He was

[138] The date 1252–53 has been suggested by Duichev, *Prinosi*, 15. Jacob of Bulgaria referred to Vatatzes' wintertime arrival in the Balkans and mentioned the defeat of the Genoese at Rhodes (1250). See Jacob of Bulgaria, 81.4, 88.23–89.11. The only campaign that Vatatzes led in the Balkans in the period 1250–54 dates to 1252–53. See Akropolites I, 89–92.

[139] Duichev, *Prinosi*, 15, hypothesized that Jacob delivered the speech in Thessaloniki. This is not certain. John III Vatatzes set up his camp in Vodena (Edessa), where he spent the winter, and then visited Ohrid, Jacob's former see. See Akropolites I, 92.14–15.

[140] Akropolites II, 12–29, esp. 14.1 (address to the Nicaean senate), 28.15–29.13 (reference to Theodore II's accession and a short eulogy of the young emperor), 13.9, 23.3, 25.7 (general references to the audience).

[141] On Akropolites' biography, see R. Macrides, "A Translation and Historical Commentary of George Akropolites' History," Ph.D. dissertation, King's College, London, 1979, 14–42. Cf. the analyses of the epitaph by K. Praechter, "Antikes in der Grabrede des Georgios Akropolites auf Johannes Doukas," BZ, 14 (1905), 479–91; V. Valdenberg, "Notes sur l'oraision funèbre de G. Acropolite," BZ, 30 (1929–30), 91–95.

[142] Apart from his burial oration, none of Akropolites' other works of occasional rhetoric survive. A mourning poem on the death of the empress Eirene Laskarina (d. 1239), John III Vatatzes' first wife, which its first editor, August Heisenberg, had attributed to Akropolites, was most likely not authored by him. The second editor of the poem, W. Horänder, has expressed doubts regarding the attribution of this epitaph to Akropolites. See W. Horänder, "Prodromos-Reminiszenzen bei Dichtern der nikänischen Zeit," BF, 4 (1972), 88–104, esp. 96–97; Macrides, "Translation and Historical Commentary of George Akropolites' History," 37–38.

[143] On the biography of Manuel Holobolos, see PLP, no. 21047; M. Treu, "Manuel Holobolos," BZ, 5 (1896), 538–54; S. Kourouses, "Galesiotes," 355–56, 368–69; Hannick, *Maximos Holobolos*, 43–49.

an honest man with broad intellectual horizons. In 1261, while still a youth, Holobolos incurred Michael VIII's wrath and suffered mutilation of his lips and nose because of his support for the Laskarids.[144] After his appointment as rhetor (1265) Holobolos again lost Michael VIII's favor because of his opposition to the Union of Lyons, and on 6 October 1273 was disgracefully displayed on the streets of Constantinople in a shameful procession in the company of criminals and anti-unionists.[145] Furthermore, Holobolos was the first late Byzantine literatus known to have taken up seriously the study of Latin literature since late antiquity. He proudly quoted Virgil in his second panegyric of Michael VIII (ca. 1266) and produced a translation of Boethius' logical treatises.[146] When enjoying the emperor's favor, Holobolos participated in diplomatic dealings with the West. In late 1266 or early 1267 he drafted an imperial letter to Pope Clement IV (1265–66).[147] About 1299 or shortly thereafter the Dominican friar Simon of Constantinople addressed a theological tract to Holobolos in which he called him his friend.[148] In 1302 Holobolos may have been the emperor's representative who traveled to Venice to sign the renewed Byzantine–Venetian treaty.[149] He died by 1310. As rhetor of the rhetors Manuel Holobolos delivered three long panegyrics of Michael VIII, which date most probably to 1265, 1266, and 1267.[150] He

[144] Pachymeres I.i, 259.

[145] Pachymeres I.ii, 501–05. The rhetor spent the rest of Michael VIII's reign in exile at the monastery *tou Agrou* near Kyzikos. See Pachymeres II.iii, 35.12–13.

[146] Holobolos, *Orationes*, 69.34–35. D. Nikitas, *Eine byzantinische Übersetzung von Boethius' De hypotheticis syllogismis* (Göttingen, 1982), has solved a long-standing controversy as to whether Holobolos or Planoudes was the translator of Boethius' works. However, his hypothesis (ibid., 52) that Holobolos was born in Thessaloniki rests on a misreading of a letter by Constantine Akropolites. The Thessalonican in question was John Pediasimos Pothos, not Holobolos. See *Costantino Acropolita. Epistole*, ed. R. Romano (Naples, 1991), no. 121, 215–16 (with further bibliography).

[147] N. Festa, "Lettera inedita dell'Imperatore Michele VIII Paleologo al pontefice Clemente IV," *Bessarione*, 4 (1899), 42–57; idem, "Ancora la lettera di Michele Paleologo a Clemente IV," *Bessarione*, 6 (1901), 529–32. Cf. Geanakoplos, *Michael VIII*, 201–02.

[148] Vat. gr. 1104, ff. 1r. – 22r. See R.-J. Loenertz, *La Société des frères pérégrinants. Étude sur l'Orient dominicain*, vol. 1 (Rome, 1937), 79, n. 16; Laurent, *Regestes*, 1621. Simon appears to have composed the work after 1299, when a Dominican friary was established in Pera. See Loenertz, *La société*, 41–44. On Simon of Constantinople, see PLP 25367; M.-H. Congourdeau, "Frère Simon le Constantinopolitain, O.P. (1235?–1325?)," REB, 45 (1987), 165–74.

[149] This has been the hypothesis of Constantinides, *Higher Education*, 58. A certain *protosynkellos* Maximos, abbot of the Constantinopolitan monastery of Saint Michael, went to Venice in 1302 to sign a treaty between Venice and Byzantium. See G. M. Thomas, *Diplomatarium Veneto-Levantinum* (Venice, 1880), no. 7; 13, 19. Cf. Laiou, *Constantinople and the Latins*, 111–12; Dölger, *Regesten*, 2247. There are compelling reasons to identify the ambassador with Holobolos: Maximos was Manuel Holobolos' monastic name; during the reign of Andronikos II he was appointed to the office of *protosynkellos* which he held concurrently with that of rhetor of the rhetors (see PLP 21047); and, of course, he knew Latin. The identification of the *protosynkellos* Maximos with Maximos Planoudes is less likely, for Planoudes is not known to have held this title.

[150] F. Dölger, "Die dynastische Familienpolitik des Kaisers Michael VIII. Palaiologos," *PARASPORA* (Passau, 1961), 185, dated the three panegyrics to December 1261. Macrides, "The New Constantine

also composed the inauguration address for Patriarch Germanos III. At least six of Holobolos' twenty surviving *prokypsis* poems were delivered in 1272–73.[151] Two of these poems date to the reign of Andronikos II as sole emperor after 1282.[152]

Two more prose panegyrics have been attributed to Holobolos, although his authorship is far from certain. The first one, addressed to Michael VIII, is transmitted without a title in Vaticanus graecus 1409. Its modern editor, Luigi Previale, correctly dated the composition of the work to 1272–73. The author of this rhetorical piece was an experienced orator who paid great attention to foreign policy and was familiar with Aristotle's logical treatises. Unfortunately, this limited information is not enough to determine his identity.[153] Aristotle was widely studied in schools of higher learning under Michael VIII. In addition to Holobolos, there were other prominent teachers who taught students Aristotelian logic during Michael VIII's reign – George Akropolites, George Pachymeres (teacher of the Apostle at the patriarchal school at the beginning of his career), and John Pediasimos Pothos who held the teaching post of "consul of the philosophers" (*hypatos ton philosophon*).[154] Therefore we should prefer to regard the encomium as the work of an anonymous author.

and the New Constantinople – 1261?," 19 and 37, n. 137, correctly redated them to the period 1265–72, and most probably 1265, 1266, and 1267. The second and the third panegyric mention the passing of a year since the delivery of the previous one; Holobolos regained Michael VIII's favor in 1265.

[151] Heisenberg, *Palaiologenzeit*, 127–30, has shown that two choirs performed the poems antiphonally in pairs, and suggested a date of delivery of Christmas Day 1272 and Epiphany 1273 for eighteen of the poems – after Andronikos II's coronation in 1272 and before Holobolos' disgrace in October 1273. However, only three of the poems (i.e., a total of six due to their antiphonal performance) date solidly to the period 1272–73: the first poem (AG, vol. 5, 160), the fifth poem (AG, vol. 5, 165), and the ninth poem (AG, vol. 5, 170). The fifth poem refers to Andronikos II as a crowned emperor, and the ninth poem mentions that Andronikos II (the sun) is in the company of his wife (the moon). Andronikos II was crowned co-emperor and married Anna of Hungary in 1272. Andronikos II is called emperor in other poems as well, although this is not sufficient for dating them. The first poem refers to a humiliation of the Bulgarians burnt by the emperor-sun. See AG, vol. 5, 160.9–10. Which war with the Bulgarians did Holobolos have in mind? Michael Palaiologos was thrice successful in his policies against the Bulgarians: ca. 1270, when he arranged the marriage of his niece Maria to the aggressive Bulgarian tsar Constantine Tich (1257–77), in 1272, when with the help of the Mongols of the Golden Horde he repelled a Bulgarian incursion, and in 1279, when he set up his protégé Ivan III Asen (1279–80) (Despot John Asan) on the Bulgarian throne. Of these three possibilities, I prefer the second one (1272), since the poem refers to the "punishment" of the "daring" Bulgarians.

[152] These are the twentieth *prokypsis* poem published by Treu together with the nineteenth poem in J. Boissonade's edition.

[153] Vat. gr. 1409, fols. 270 r.–275 r. L. Previale, "Un panegirico inedito," 8–9, attributed the panegyric to Holobolos based on dubious stylistic grounds and on the frequent references to Aristotle. The codicological context does not help to solve the question of authorship.

[154] See Constantinides, *Higher Education*, 125. Furthermore, no Aristotelian commentaries have survived from the pen of Holobolos as has traditionally been assumed. See B. Bydén, "'Strangle Them

The other panegyric attributable to Holobolos is addressed to Andronikos II. This intriguing work is found in Vaticanus graecus 112 without any indication of authorship. Its entire opening part is missing. Stavros Kourouses, who published the initial section of the extant part, has argued that its author may have been Holobolos or his relative and student George Galesiotes (1278/80–after 1357), who rose to become *protekdikos* and *sakkelion* at the patriarchate.[155] The panegyric is an apology for the scandalous dynastic marriage between Andronikos II's six-year-old daughter Simonis and the Serbian king Stephan Uroš II Milutin concluded in July 1299. It was composed, therefore, sometime shortly after July 1299.[156] The panegyric shows traces of Holobolos' language.[157] Furthermore, the author speaks from the position of someone established at the imperial court who argued with "generals" or other opponents of the marriage. While these arguments support ascribing the work to the official rhetorician Holobolos rather than to a young man such as Galesiotes, they are by themselves insufficient for a solid attribution and therefore we prefer to treat this work also as anonymous.

An author of two panegyrics, one in praise of Michael VIII and another one in honor of Andronikos II, was Gregory of Cyprus (1241/2–1289).[158]

with Meshes of Syllogisms!' Latin Philosophy in Greek Translation in the Thirteenth Century," in I. O. Rosenqvist (ed.), *Interaction and Isolation in late Byzantine Culture* (Uppsala, 2004), 113–57, esp. 142–52.

155 Vat. gr. 112, ff. 30 r–37 r. S. Kourouses, "Galesiotes," 364–66, has published a fragment of the oration. I have examined the entire text of the panegyric in Vat. gr. 112 – a miscellaneous manuscript which belonged to George Galesiotes, who copied some of the texts. See I. Mercati and P. Franchi de Cavalieri, *Codices vaticani graeci*, vol. 1 (Rome, 1923), 134–36; Kourouses, *Manuel Gabalas*, 111–14. An anonymous scribe with a distinctive handwriting copied the section of the manuscript where the panegyric is found. Galesiotes' authorship of the monody on Holobolos, which belongs to this part of the manuscripts, suggests that Galesiotes might have also composed the imperial panegyric. On the other hand, it is possible that Holobolos (the subject of the monody) authored the encomium. Kourouses, "Galesiotes," 351, n. 2, has warned against Holobolos' authorship because the speech does not end with a quotation from Psalm 44 as do Holobolos' other three orations. By contrast, Hunger, *Die hochsprachliche profane Literatur*, 129, n. 80, attributed the work to Holobolos. Kourouses, "Galesiotes," 343–47, has collected the scattered biographical information about George Galesiotes. See also PLP 3528. In about 1303 Galesiotes held an unknown post at the patriarchal administration.

156 Stavros Kourouses has argued that the panegyric was written after the reconciliation between Andronikos II and Patriarch John XII Kosmas in February 1301. In fact the polemical nature of the speech strongly suggests that it was written the midst of the crisis. See chapter 5, pp. 177–79.

157 Compare Holobolos' derisive description of the Latin king of Constantinople, Baldwin II (1240–61), with that of an anonymous enemy of the regime: Holobolos, *Orationes*, 68.14–19: ὁ δὲ Βαλδαῖνος ἀνδράριόν τι βραχύτατον.... *μαστιγίας, δραπέτης*, κλέπτης, φυγὰς καὶ ὅ φασιν ἀπὸ ῥοπάλου καὶ δέρματος Ἡρακλῆς. Vat. gr. 112, f. 353 r.: ἢ γελοῖον ἂν εἴη *δραπέτου καὶ μαστιγίου* [μαστιγία cod.] μοῖραν ὀντινοῦν κεκληρωμένον καὶ μηδὲν πλέον εἰς εὐδαιμονίαν ἐφοδιασθέντα, ἔπειτα νομίζειν ὁσίως πάντων ἑξῆς ἡγεῖσθαι μηδαμῶς αἰσχυνόμενον τῇ προσηγορίᾳ. This rhetorical description appears not to refer to any real enemy of Andronikos II, but simply to a fictional rival.

158 PG, vol. 142, cols. 345–86, 387–418 (originally published in AG, vol. 1, 313–58, 359–93).

Born in Cyprus, Gregory emigrated to Nicaea in 1260 in search of better education and career opportunities. After 1261 he studied with Holobolos and Akropolites and, as we noted, himself taught rhetoric (ca. 1273–82).[159] The panegyric of Michael VIII was delivered sometime in the period 1270–72, when the author was approximately thirty years old and had just completed his higher education.[160] During the first term in office of Patriarch Joseph I (1266–75) Gregory of Cyprus joined the imperial clergy as a *protoapostolarios* (first reader for the Prophecies and Epistles) and became a supporter of Michael VIII's unionist policies.[161] After the accession of Andronikos II and the termination of the Union, Gregory of Cyprus rapidly oriented himself in the new situation, switched sides, and was elected patriarch (1283–89). He appears to have delivered his panegyric of Andronikos II between January and March 1283, immediately before his election to the patriarchate.[162]

The next two orators, Nikephoros Choumnos and Theodore Metochites, have much in common. Both were ambitious young men when they wrote panegyrics of the emperor. Both had grand political ambitions and eventually became Andronikos II's prime ministers. Both married

159 On Gregory of Cyprus' biography see A. Papadakis, *Crisis in Byzantium: The Filioque Controversy in the Patriarchate of Gregory II of Cyprus (1283–1289)* (New York, 1983), 29–33 and *passim*.

160 J. Verpeaux, *Nicéphore Choumnos, homme d'état et humaniste byzantin, ca. 1250/1255–1327* (Paris, 1959), 35, n. 3, has dated the composition of the oration as between 1270 and 1272. Verpeaux's hypothesis is to be accepted, despite the lack of a detailed discussion. According to Verpeaux, the silence in the speech regarding the Union establishes a *terminus ante quem*. A stronger candidate for a *terminus ante* is the silence regarding Andronikos II's coronation in 1272. Another contemporary orator did not fail to mention Andronikos II's coronation as co-emperor. See Previale, "Un panegirico inedito," 45.3. Verpeaux dated the oration to 1270–72, based on the references to foreign peoples subjugated by Michael VIII. The passage in question (AG, vol. 1, 350 = PG, vol. 142, col. 380AB) mentions the Latins, who were no longer insolent but were being besieged and defeated, the Mysoi (the Bulgarians), who had been brought to the emperor's side, the Scythians (the Mongols of the Golden Horde), who had submitted to the emperor, the Medes (the Mongols of Persia), and the Persians (the Turks) who had shown honor to the emperor. The reference to the Latins is too vague to lend itself to exact dating. Only the diplomatic relations with the Tatars of the Golden Horde and the Bulgarians are datable. The Bulgarian tsar Constantine Tich (1257–77), a former enemy of Byzantium, concluded an alliance with Michael VIII in 1269 and married his niece Maria. See Dölger, *Regesten*, 1969. An embassy of Michael VIII to Khan Nogai of the Golden Horde, leading to a marriage alliance, has been variously dated to about 1270 or to about 1272. For these dates see A. Failler, "Chronologie et composition dans l'histoire de Pachymère," REB, 39 (1981), 211, n. 27; Dölger, *Regesten*, 1984a.

161 For Gregory of Cyprus' appointment as *protoapostolarios* by Patriarch Joseph I, see Pachymeres II.iii, 53–54. For the important role which he played in preparing the Union, see Pachymeres I.ii, 485.15–16.

162 This date for the oration has been suggested by A. Failler, "La restauration et la chute définitive de Tralles au 13e siècle," REB, 42, (1984), 258–59. I agree with Failler that the panegyric makes no reference to the author's position as patriarch and therefore has to be dated before his patriarchal election. Papadakis, *Crisis in Byzantium*, 36, dates the oration to 1284. Verpeaux, *Nicéphore Choumnos*, 35, n. 4, has dated it to 1284–85.

off a daughter into the imperial family and acquired enormous wealth. Nikephoros Choumnos (ca. 1250/55–1327) was a student of Gregory of Cyprus and wrote a panegyric of Andronikos II closely resembling that of his teacher. Verpeaux has dated the oration, correctly in our opinion, to approximately 1284–85, because it postdates Gregory of Cyprus' work and does not refer to any events after Andronikos II's succession in 1282.[163] When delivering the panegyric, Choumnos was in his late twenties or early thirties and held the honorary title of *koiastor*, which ranked quite low, in the fiftieth place in the hierarchy of court titles as attested in the middle of the fourteenth century. His rise to a position of power was rapid, however. In 1294 he became prime minister (*mesazon*) and soon thereafter was appointed also to the post of keeper of the imperial inkstand (*epi tou kanikleiou*).[164] In this capacity Choumnos wrote preambles for official documents, three of which have survived.

Theodore Metochites (1270–1332) was younger than Choumnos and succeeded him as *mesazon*.[165] He considered his two imperial orations important enough to include them in the deluxe manuscript of his collected writings (Vindobonensis phil. gr. 95) and cared to mention them in autobiographical works.[166] Metochites composed the imperial orations as a young man living under particularly difficult personal circumstances: his father, the archdeacon George Metochites, had been declared to be an enemy of the regime. A leading diplomat who had negotiated the Union, George Metochites never gave up his unionist convictions. Immediately after the termination of the Union in January 1283, he was deprived of the rank of archdeacon of the imperial clergy and remained under close surveillance by the authorities until his death (1328). At first he was permitted to live in his private home in Constantinople, then in 1285 he was confined in the Pantokrator monastery in the imperial capital, and shortly

[163] Verpeaux, *Nicéphore Choumnos*, 36, n. 3, 38, 90, n. 4. The oration is published in AG, vol. 2, 1–56.

[164] On his career, see Verpeaux, *Nicéphore Choumnos*, esp. 36–42; PLP 30961.

[165] On his career, see Ševčenko, *Études*, 129–44, 272–74, and *passim*; I. Ševčenko, "Theodore Metochites, the Chora, and the Intellectual Trends of His Time," in P. Underwood (ed.), *The Kariye Djami*, vol. 4 (New York, 1975), 19–55; J. Verpeaux, "Le *cursus honorum* de Théodore Métochite," REB, 18 (1960), 195–98; PLP 17982.

[166] Cod. Vindeb. philol. gr. 95, ff. 81 r.–96 v.; 145 v.–158 r. Metochites wrote two works with autobiographical content covering his education and early career: the first, poetic in form, is incorporated into a poem dedicated to the Virgin (M. Treu, *Dichtungen des Gross–Logotheten Theodorus Metochites* (Ostern and Potsdam, 1895), 3–37); the second, in prose, forms part of Metochites' preface to his *Introduction to Astronomy*. In his prose autobiography (Bydén, *Theodore Metochites' Stoicheiosis Astronomike*, 429–30) Metochites mentioned the two orations, although this reference does not help to date them. Metochites writes that he *published* the imperial orations at an unspecified time after his appointment to a senatorial dignity.

afterward was sent to exile in Bithynia.[167] The young Theodore followed his father in Asia Minor; much later, in his *Miscellanea*, he would describe the beauty and wealth of the areas in Anatolia that he had visited in his youth, before the Turks conquered them.[168] In late 1289 or in early 1290 George Metochites fell gravely ill, and the emperor ordered that he be transferred back to house arrest in Constantinople. Theodore Metochites seems to have followed his father back to the imperial capital.[169] It was in 1290 and in Constantinople that Theodore Metochites composed his first imperial oration.[170] The panegyric closely follows Gregory of Cyprus' and Nikephoros Choumnos' encomia and bears the marks of a youthful work adhering to the rhetorical rules of Hermogenes, Aphthonios, and Menander. It reports no events after 1282. This encomium – or possibly the oration in praise of the city of Nicaea delivered at the beginning of Andronikos II's three-year sojourn in Asia Minor (1290–93) – may have been the rhetorical work that deeply moved the emperor and marked the beginning of Metochites' remarkable change of fortune.[171] At the age of twenty-one Metochites was appointed to the senatorial rank of logothete *ton agelon*.[172] Enjoying his new position, Metochites traveled with the emperor and the imperial cortege in Asia Minor. In the winter of 1292 or 1293 he wrote another panegyric of Andronikos II. He recited this work in Nicaea after the emperor had inspected the Byzantine–Turkish frontier along the lower Sangarios river and had visited the city of Nikomedeia.[173] At the beginning of the

[167] George Metochites' biography in these years is reconstructed from the autobiographical references in his *Dogmatic History*. See R.-J. Loenertz, "Théodore Métochite et son père," *Archivum Fratrum Praedicatorum*, 23 (1953), 184–94, esp. 188–89.

[168] Metochites, *Miscellanea*, ch. 38, 238–39.

[169] See George Metochites, *Dogmatic History*, ed. J. Cozza-Luzi, in A. Mai, *Nova Patrum Bibliotheca*, vol. 10 (Rome, 1905), 326–27. Cf. Pachymeres II.iii, 117–119; Dölger, *Regesten*, 2142.

[170] This oration must be dated to 1290 for the following reasons. Metochites wrote in his autobiographies that his fortune changed when he was twenty or a little above; therefore 1290 is the earliest possible year in which he could have delivered a panegyric of the emperor. See Bydén, *Theodore Metochites' Stoicheiosis Astronomike*, 442.170–443.181; Treu, *Dichtungen*, 12. Cf. Ševčenko, *Études*, 135–136. On the other hand, in the oration Metochites refers to Constantinople as τὴν πόλιν ἀνίστησι ταύτην (f. 82 v.), an expression which indicates that the author was still in Constantinople at the time. I owe this insight to Ihor Ševčenko. Metochites' second oration mentions that Andronikos II crossed into Asia Minor during a winter (f. 152 v.), that is, the winter of 1290–91, to begin his three-year sojourn in Anatolia. Metochites certainly delivered his first oration before the second.

[171] Treu, *Dichtungen*, 12, vv. 444–48. Cf. Ševčenko, *Études*, 137, n. 2.

[172] Metochites wrote in his autobiographies that he acquired this senatorial rank one year after he had first gained the emperor's attention at the age of twenty. See Verpeaux, "*Cursus honorum* de Théodore Métochite,"196; Ševčenko, *Études*, 135 and n. 3.

[173] I date this oration to the winters of 1292 or 1293 for the following reasons. In the speech Metochites focuses on a wintertime campaign of Andronikos II in which the author took part. The speech ends by describing the emperor's arrival in Nicaea and his generosity to the city populace. This makes the winters of 1291, 1292, or 1293 possible times for the delivery of the oration. We must, however,

fourteenth century Metochites gradually rose to become the real power behind the throne in the empire. In about 1306 he replaced Choumnos as *mesazon* and in 1321 was appointed grand logothete. One single preamble written by Metochites has survived from the 1320s.

The next panegyrist, Maximos Planoudes (ca. 1255– before 1305), has more in common with Holobolos and Gregory of Cyprus than with Choumnos and Metochites. Born in the city of Nikomedeia, Planoudes was a famous teacher and philologist.[174] Like Holobolos, he learned Latin and translated into Greek the works of Latin authors, such as St. Augustine's *On the Trinity*, Ovid's *Metamorphoses*, Boethius' *The Consolation of Philosophy*, although unlike Holobolos he willingly collaborated with Michael VIII's unionist policies. For that reason most probably he had to adopt the monastic habit after 1283, although he continued to enjoy a position of proximity to the imperial court and served as ambassador to Venice. His panegyric of Andronikos II and his son Michael IX was delivered a few days after the latter's coronation as co-emperor on 21 May 1294.[175] Here Planoudes

exclude the winter of 1291. First, Metochites himself says in the oration (f. 153 v.) that the emperor, after leaving Constantinople, had campaigned in numerous areas of Asia Minor before arriving in Bithynia. Had he spoken in the winter of 1291, he could not have made this claim plausibly. Second, in his *Dogmatic History* George Metochites explicitly describes the emperor's route upon leaving Constantinople for Asia Minor: Andronikos II went first to Prusa, hoping to convert the unionist ex-patriarch John XI Bekkos, then to Nicaea, Lopadion, and finally Nymphaion. The oration does not correspond with this information. The emperor is known to have established his main residence during his three-year sojourn precisely in Nymphaion. See Metochites, *Dogmatic History*, 327–28. Cf. V. Laurent, "La date de la mort de Jean Beccos," EO, 25 (1926), 316–19; J. Verpeaux, "Notes chronologiques sur les livres II et III du *De Andronico Palaeologo* de Georges Pachymère," REB, 17 (1959), 169. Third, in addition to the panegyric, Metochites delivered an encomium on the city of Nicaea in the emperor's presence. The encomium on Nicaea has been considered to be an early work of Metochites, written during the first year of the emperor's campaigns in Asia Minor. Here Metochites praised Andronikos II for having granted to the city slaves and cattle captured from the Turks. See C. Foss, *Nicaea, A Byzantine Capital and Its Praises* (Brookline, Mass., 1996), 164–95, esp. 192–93. Cf. Ševčenko, *Études*, 137. However, in the panegyric Metochites lauds the emperor's generosity to the city in different terms, suggesting that Andronikos II had issued a tax privilege to its population. A. Failler "Pachymeriana nova," REB, 49 (1991), 178–82, has hypothesized that in his second imperial oration Metochites described Andronikos II's campaign in Asia Minor in 1284 – an expedition known solely from the letters of Gregory of Cyprus. In fact, Metochites explicitly speaks of Andronikos II's accession, his sojourn in Asia Minor (1284), his residence in Constantinople (1285–90) (all these events are referred to on ff. 151 v–152 v.), and the recent campaign in Asia Minor (1290–93).

174 On Planoudes' biography and activities see C. Wendel, "Maximos Planudes," *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*, vol. 20, 2 (Stuttgart, 1950), 2202–53; PLP no. 23308; S. Mergiali, *L'enseignement et les lettrés pendant l'époque des Paléologues (1261–1453)* (Athens, 1996), 34–42.

175 L. Westerink, "Le basilikos de Maxime Planude," BSl, 27 (1966), 98–103; 28 (1967), 54–67; 29 (1968), 34–50 (on the basis of the sixteenth-century Mosc. gr. 315). Subsequently Stavros Kourouses discovered that the thirteenth-century Ambr. gr. 14 sup. fills in the lacunae of the Moscow manuscript and offers better readings. See S. Kourouses, "Νέος κῶδιξ τοῦ "βασιλικοῦ" Μαξίμου τοῦ Πλανούδη,"

openly advocated change in imperial policy, and the advisory nature of the oration will merit detailed discussion in chapter 5.

Very little is known about the next orator in chronological order, Nicholas Lampenos, who delivered a speech in praise of Andronikos II between 1296 and 1303, apart from the fact that he was from Thessaloniki and held the office of *protonotarios* at the patriarchal administration.[176] Lampenos' oration is the longest one surviving from the thirteenth century, and represents the last "full" imperial encomium under Andronikos II. The four imperial panegyrics of the polymath and historian Nikephoros Gregoras (ca. 1291–1358/61) were much shorter and belong to Menander's generic category of laudatory address (*prosphonema*). Gregoras took great pride in these panegyrics and incorporated two of them into his *History*. He was a young man at the age of twenty-seven in 1322 when he composed his first encomium on Andronikos II.[177] It dealt with the emperor's intelligence and rhetorical skills.[178] The occasion for his second encomium on Andronikos II was the author's refusal of an offer of the office of *chartophylax* at the patriarchate.[179] Between 1322 and 1328 Gregoras wrote two short and classicizing imperial encomia, the first one comparing Andronikos II to Plato's ideal king and the second one praising the emperor's virtues in Ionic dialect.[180] In the period of the First Civil War (1321–28) Gregoras took part in learned discussions in the palace, served as Andronikos II's envoy to the Serbian royal court, and, most importantly for our purposes, composed two preambles to imperial privileges granted to the emperor's political supporters.[181]

Ἀθηνᾶ, 73–74 (1972–73), 426–34. Both editions are reprinted in L. Westerink, *Texts and Studies in Neoplatonism and Byzantine Literature* (Amsterdam, 1980), 113–58. On the date of the coronation see Laiou, *Constantinople and the Latins*, 50 and n. 71. P. Lamma, "Un discorso inedito per l'incoronazione di Michele IX Paleologo," *Aevum*, 29 (1955), 49–69, studied the oration as a source of imperial attribute and took no account of its advisory nature.

176 Ioannes Polemis, the editor of this text, has established its termini and discussed the scanty biographical information regarding the orator. See Polemis, *Encomium*, 5–6; Kourouses, *Manuel Gabalas*, 228–29.

177 For a biography of Gregoras see R. Guilland, *Essai sur Nicéphore Grégoras: l'homme et l'oeuvre* (Paris, 1926), 4–54; J.-L. van Dieten, *Nikephoros Gregoras, Rhomäische Geschichte* (Stuttgart, 1971), 1–33.

178 Gregoras I, 328–39. The *prooimion* has been transmitted independently from the oration itself. I have been able to consult it from Paris, Bibl. Nat., Cod. gr. 3040 (seventeenth century), ff. 29 r. – 30 r. For the textual transmission of the *prooimion*, see Guilland, *Essai sur Nicéphore Grégoras*, XIII, XVIII, XXII, 146 ff.; van Dieten, *Nikephoros Gregoras*, 45–46.

179 Gregoras I, 340–48.

180 P. Leone, "Nicephori Gregorae ad Imperatorem Andronicum II Paleologum orationes," B, 41 (1971), 497–519.

181 Gregoras I, 364–73 (proposal of a calendar reform), 374–83 (embassy to the Serbian king Stephan Uroš III Dečanski (1321–31)). The prooimia are edited and translated in the appendix to chapter 4.

A short laudatory address to Andronikos II written by Manuel Gabalas (1271/2–1335/60), known also as Matthew of Ephesos, has been preserved.[182] Gabalas spent the early years of his life serving as a cleric at the metropolitan parish church of his native city of Philadelphia in Asia Minor – one of the few footholds of Byzantine power left in the area after the Turkish conquests during the first half of the fourteenth century. The beleaguered city of Philadelphia was a setting for various political conflicts and intrigues, to which Gabalas often fell an innocent victim. The metropolitan of Philadelphia Theoleptos (ca. 1250–1322), a staunch anti-Arsenite, resented the official end of the Arsenite schism in September 1310, cut off all relations with the patriarchate and excommunicated Gabalas, whom he suspected of being an agent of Constantinople.[183] The military governor of the city, Manuel Tagaris, also bore a grudge against Gabalas. When Andronikos II dismissed Tagaris during the First Civil War (1321–28) and appointed in his stead the blind ex-rebel Alexios Philanthropenos, the recalled general began to circulate slanders against Gabalas (metropolitan-elect of Ephesos since the autumn of 1324) and endangered his episcopal ordination.[184] In these difficult circumstances Gabalas delivered in 1326 an imperial oration in which he celebrated Andronikos II's renowned sense of philanthropy, recently displayed again when the emperor generously gave the author medicine and helped him to recover from illness. In 1329 Gabalas was finally ordained metropolitan of Ephesos.[185]

Little is known about another panegyrist of Andronikos II, the teacher Theodore Hyrtakenos (fl. ca. 1300), apart from the fact that he wrote monodies for members of the imperial family and begged in his letters to Andronikos II, Metochites, and Choumnos for an annual pension, clothing, and *pronoiai.* His speech in praise of Andronikos II placed a strong emphasis on the emperor's role in rectifying "dogmas and heresies." Unfortunately, a missing folio in the manuscript transmitting the speech prevents us from establishing its exact date.[186]

[182] The biography of Matthew of Ephesos has been extensively studied by Kourouses, *Manuel Gabalas*, 293–354. The oration (Cod. Vindob. theol. gr. 174, ff. 58 r.–65 r.) is still unpublished.

[183] Kourouses, *Manuel Gabalas*, 122–58, 316–30, has identified Gabalas as the author of appeals to the patriarch Niphon (1310–14) that had been previously attributed to pseudo-John Chilas by J. Gouillard, "Après le schisme arsénite. La correspondance inédite du pseudo-Jean Chilas," *Académie Roumaine. Bulletin de la Section Historique*, 25 (1944), 174–211. Theoleptos' hierocratic ideas will be discussed in chapter 11, pp. 408–11.

[184] Kourouses, *Manuel Gabalas*, 342–43. Two letters by Matthew of Ephesos to Joseph the Philosopher describe his conflict with Tagaris. See *Die Briefe des Matthaios von Ephesos*, 202–04 (B 65), 110 (B 17).

[185] On the dates of the oration and the ordination, see Kourouses, *Manuel Gabalas*, 185–88, 343–44.

[186] AG, vol. 1, 248–53. See A. Karpozilos, "The Correspondence of Theodoros Hyrtakenos," JÖB, 40 (1990), 275–94, esp. 276, n. 4 (on the manuscript, Paris, Bibl. Nat., Cod. gr. 1209) and 283, n. 34

Manuel Philes (ca. 1275–ca. 1345) is a special case within the group of rhetoricians at the court of Andronikos II.[187] Philes was a poet, and a very popular one: a fourteenth-century manuscript of the *Rhetorica Marciana* added his name to other known models for iambic poetry.[188] He addressed more than fifty poems to Andronikos II, a modest portion of his poetic *oeuvre*. Many of these works are private in character, such as accounts of embassies in which he took part, or they deal with trifles, such as the emperor's sword or the emperor's dog. One of them is a poem for a *prokypsis* celebration allegedly written on the spot.[189] Philes composed poems on commission, and many of his works are personal appeals or complaints about his dire poverty and hunger. In reality, Philes was not a poor man, but assumed the literary identity of a begging poet, imitating the twelfth-century bard Ptochoprodromos and following a fashion among court literati of the early Palaiologan period (in his letters Theodore Hyrtakenos complained, too, of indigence). Philes belonged to a known aristocratic family, possessed a landed estate, and showed the extravagance of a wealthy man in some of his petitions, such as his request for a male buffalo to match his female one.[190] His poems will be considered only occasionally, when they complement the information found in the prose orations.

(on the imperial panegyric). Apostolos Karpozilos has suggested that Hyrkatenos composed the oration at the end of the Union of Lyons (December 1282) or at the termination of the Arsenite schism "sometime after 1284," that is, September 1310. Cf. A. Karpozilos, "Books and Bookmen in the 14th c. The Epistolographical Evidence," JÖB, 41 (1991), 256–59. On Hyrtakenos see also Mergiali, *L'enseignement*, 90–95; PLP 29507.

[187] For Manuel Philes' biography, see PLP 29817; Chr. Loparev, *Vizantiiskii poet Manuil Fil* (St. Petersburg, 1891).

[188] Walz, *Rhetores Graeci*, vol. 3, 562, n. 37. In Marcianus gr. 444 Philes was cited as a model for iambic poetry, together with George of Pisidia (seventh century), Nikephoros Kallikles and Ptochoprodromos (both twelfth century).

[189] *Manuelis Philae Carmina*, vol. 1, ed. E. Miller (Paris, 1855; repr. Amsterdam, 1967), 379–80.

[190] E. Martini, *Manuelis Philae carmina inedita* (Naples, 1900), no. 59, 76–77, where Philes asked the *protostrator* Michael Tarchaneiotes Glabas for a male buffalo. See I. Kamarinea, "Beobachtungen zur Stellung des Dichters in der byzantinischen Gesellschaft des XIV Jahrhunderts anhand der Schriften des Manuel Philes," *Actes du XIV^e Congrès International des Études Byzantines*, vol. 2 (Bucharest, 1975), 257–58.

CHAPTER 2

The imperial idea: continuity and change in the imperial image

The first impression one gains from surveying the panegyrics is the stunningly large number and wide variety of imperial virtues and comparative figures. The orators used both adjectives, such as "philanthropic," and abstract qualities, such as "philanthropy," to laud the ruler. They also employed attributes and epithets, such as "victor." The orators themselves voiced awareness of the existence of a multitude of imperial virtues. Often they paused rhetorically for a moment in the middle of their speeches and described the garden or sea of virtues about to overwhelm them.[1] Sometimes they praised the emperor for mixing two or more virtues.[2] Still, within this "sea of virtues," a certain number of ideas were used repeatedly with reference to several emperors and appear to have formed a standard rhetorical and ideological repertoire. One of the orators, Theodore Metochites, explicitly spoke of the existence of such a repertoire.[3] As there were virtues ascribable to youths and women, there were, too, virtues which befitted the emperor. Besides, Metochites pointed out that a virtuous action by a private individual was not necessarily an imperial virtue, thus making the assumption that the imperial virtues were a class of their own. A systematic survey of the panegyrics and the preambles enables us to carry out two tasks. First, we shall isolate a core of common imperial virtues and ideological values related to the emperor's authority. Second, we shall investigate intriguing ideological differences between the images of the Nicaean and the Palaiologan emperors, as well as varying ideological emphases in the reigns of successive emperors.

[1] Garden of imperial virtues: Theodore II, *Encomio*, 77.810–811; Jacob of Bulgaria, 82.23–26; Gregory of Cyprus, PG, vol. 142, col. 349A. Sea of virtues: Jacob of Bulgaria, 82.17–19; Gregory of Cyprus, PG, vol. 142, cols. 369D, 384A, 389A, 396B; Previale, "Un panegirico inedito," 23.20–21; Metochites, Cod. Vindob. phil. gr. 95, ff. 94 r.-v.; Lampenos, *Encomium*, 30.30, 38.24, 42.13–28, 76.23–24, 81.8–9; Hyrtakenos, AG, vol. 1, 251; Planoudes, "Basilikos," BSl, 28 (1967), 67.731–733; BSl, 29 (1968), 38.929 (sea of philanthropy); Gregoras I, 339.13–17.

[2] See, for example, Theodore II, *Encomio*, 78.820–822.

[3] Metochites, Cod. Vindob. phil. gr., f. 90 v.

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What did the ideal emperor described in the panegyrics look like? His image easily lends itself to a summary portrait. He was a sacred, godlike and sun-like ruler in possession of virtues and epithets that featured prominently the divine ones, the four cardinal virtues of Menander, and virtues associated with stoic behavior. He was caring and ready to endure any hardship on behalf of his subjects. Further, he was a dedicated warrior and a skillful general. Alexander the Great, David, and Moses were the favorite propagandist models of kingship, although the emperor was also compared with a number of other classical and biblical figures. His power, at least from the 1240s onward, embodied universalist claims of ecumenicity and world domination.

A central ideological tenet present in all imperial orations was the emperor's divinity and the sacredness of his power. The adjective "divine" and the virtue of "divinity" were regularly ascribed to the emperor;[4] the most frequent address to the ruler was the exclamation, "O most divine emperor!"[5] The emperor was described as an imitator of God or Christ (*mimetes theou* or *Christou*) – not only in court oratory, but also in preambles to chancery documents which presented imperial generosity as an emulation of God's boundless beneficence to humankind.[6] The rhetoricians tended to cite and rehearse old images about the special relationship between the ruler and God. Some of these images were scriptural: for example, the emperor as the Lord's Anointed One (I Kings 16:1, 24:1) and as a mediator between God and men (Paul, I Timothy 2:5).[7] At times classicizing allusions to the emperor's divinity were also made. For example, Nikephoros Choumnos stated rhetorically that if a pagan Hellene could see the emperor he would worship him as one of the ancient gods.[8] Although the notion of sacral rulership was ubiquitous in imperial propaganda, the

[4] Previale, "Un panegirico inedito," 37.10; Planoudes, "Basilikos," BSl, 28 (1967), 60.397, 60.403; BSl, 29 (1968), 34.754, 35.816, 36.858, 37.905; Lampenos, *Encomium*, 61.18.

[5] Choniates, *Orationes*, 173.15, 174.12; Theodore II, *Encomio*, 77.808, 78.830; Gregory of Cyprus, PG, vol. 142, cols. 345, 372A; L. Previale, "Un panegirico inedito," 15.1, 23.9, 27.13, 42.1, 43.2; Planoudes, "Basilikos," BSl, 27 (1966), 100.4; BSl, 28 (1967), 57.287; BSl, 29 (1968), 48.1425; Lampenos, *Encomium*, 44.20–21, 81.16; Metochites, Cod. Vindob. phil. gr., ff. 81 r., 81 v., 83 r., 86 r., 89 v., 90 r., 148 v., 156 r., 157 r.; Hyrtakenos, AG, vol. 1, 251; Gregoras, B, 41 (1971), 504.35.

[6] Theodore II, *Encomio*, 49.60–61, 60.361, 63.443, 68.568; Previale, "Un panegirico inedito," 43.21; Lampenos, *Encomium*, 69.5; Hyrtakenos, AG, vol. 1, 248; Lavra II, no. 98.39–41; H. Hunger, *Prooimion. Elemente der byzantinischen Kaiseridee in den Arengen der Urkunden* (Vienna, 1964), no. 10, 228–30.

[7] Lord's Anointed One (χριστὸς κυρίου): Theodore II, *Encomio*, 51.128, 56.259; Previale, "Un panegirico inedito," 44.3; Choumnos, AG, vol. 2, 15. Mediator between God and men: Theodore II, *Encomio*, 68.570; Gregoras, B, 41 (1971), 514.116–17.

[8] Choumnos, AG, vol. 2, 23–24.

degree of emphasis varied from speech to speech. After 1261 the panegyrists of the Palaiologoi made particularly strong ideological statements about the divinity of the emperor, even claiming in exaggerated terms that he partook of the divine essence.[9]

The similarity of the emperor to the sun was another very common idea in imperial propaganda. In his rhetorical manual Joseph the Philosopher wrote that court orators should not compare private individuals or officials to the sun, for this dignified image was appropriate only for the emperor.[10] Imperial panegyrists regularly described the emperor as an earthly sun shining for the benefit of his subjects. The occasion of the rhetorical performance sometimes provided an opportunity for heightened emphasis on solar comparisons. The *prokypsis* poems by Holobolos, for example, were replete with solar metaphors, since the ceremony featured the solemn appearance of the emperor on a lighted dais. Specific actions of the emperor lent themselves to solar comparisons. For example, Jacob of Bulgaria opened his panegyric of John III Vatatzes by comparing the arrival of the emperor from the East (Asia Minor) in the West (the Balkans) to a sunrise.[11] The idea of the sun-emperor figured, too, in preambles to chancery documents, where it provided a convenient rhetorical simile for various manifestations of imperial generosity. The munificence of the emperor to all social classes was said to mimic the activity of the sun, which shone for everyone.[12] The constancy of imperial generosity resembled the daily rise of the sun.[13] The emperor was equally generous to people close to him and far away, just as the sun spread its warmth to all of humankind.[14]

The four cardinal virtues of Menander – bravery, justice, prudence, and intelligence – formed an important part of the image of any emperor. The cardinal virtues were extremely common in panegyrics.[15] The speakers typically elaborated in detail on each virtue. Sometimes, however, they

[9] Previale, "Un panegirico inedito," 19.20–21; Lampenos, *Encomium*, 75.30–32.

[10] Walz, *Rhetores Graeci*, vol. 3, 542.21–25. Joseph also wrote that the image of a starry heaven or a garden (probably the garden of imperial virtues) were reserved for the emperor.

[11] Jacob of Bulgaria, 81.

[12] Hunger, *Prooimion*, no. 13, 234. For a similar idea, see Andronikos II's chrysobull of 1299 for the Chilandar monastery, Chilandar, no. 17, 170.24–33 (Dölger, *Regesten*, 2215).

[13] R. Browning, *Notes on Byzantine Prooimia* (Vienna, 1966), 16.

[14] For this idea, see an eleventh-century document, F. Dölger, "Der Kodikellos des Christodulos in Palermo," in *Byzantinische Diplomatik* (Speyer am Rein, 1956), 2.1–3.

[15] Bravery (ἀνδρεία): Theodore II, *Encomio*, 54.189–206, 73.709; Jacob of Bulgaria, 85.6, 89.12; Akropolites II, 16.28, 18.7, 21.13; Holobolos, *Orationes*, 36.29; Gregory of Cyprus, PG, vol. 142, cols. 357C, 364A, 366B, 372D, 401C, 404C; Previale, "Un panegirico inedito," 28.1, 33.14, 44.6; Choumnos, AG, vol. 2, 32; Planoudes, "Basilikos," BSl, 29 (1968), 34.759–35.794; Anonymous of Vat. gr. 112, f. 33 v. A close synonym to bravery was "boldness" (γενναιότης): Jacob of Bulgaria, 86.20; Akropolites II, 16.29; Previale, "Un panegirico inedito," 44.21; Gregory of Cyprus, PG, vol. 142, col. 404C; Metochites, Cod. Vindob. phil. gr. 95, ff. 85 v., 151 r.; Planoudes, "Basilikos," BSl, 28 (1967), 59.376–377; 29 (1968), 34.766; Lampenos, *Encomium*, 40.17. Justice (δικαιοσύνη): Theodore II,

simply noted in passing that the emperor "rides the chariot of the four virtues."[16] Rhetorical flourishes could be added. Nikephoros Choumnos, for example, related each of the four imperial virtues to different parts of Andronikos II's body, associating "justice" (the most important imperial virtue in his view) with the emperor's head. The idea of the emperor's four cardinal virtues was also expressed in an artistic form. One of the imperial palaces of the early Palaiologoi in Constantinople was decorated with paintings of female personifications of the four cardinal virtues.[17]

A special category of imperial virtues was associated with the emperor's stoicism and self-control. The late Byzantine rhetoricians pointed to numerous examples of stoic behavior. They commended emperors for avoiding luxury, money, laughter, musical performances, mime shows, hunting, horse racing, and baths. In addition, they praised them for endlessly perspiring and enduring thirst and hunger on behalf of their subjects.[18] The image of the emperor exercising self-control and being altruistic was

Encomio, 59.358, 63.438–440; Jacob of Bulgaria, 89.14–90.2; Akropolites II, 21.13; Holobolos, *Orationes*, 36.28; Gregory of Cyprus, PG, vol. 142, 360A; L. Previale, "Un panegirico inedito," 43.5–15; Choumnos, AG, vol. 2, 32, 41–44; Metochites, Cod. Vindob. phil. gr. 95, f. 85 v.; Planoudes, "Basilikos," BSl, 29 (1968), 36.848–37.910; Anonymous of Vat. gr. 112, f. 34 v. Prudence (σωφροσύνη): Theodore II, *Encomio*, 64.466–67.550; Jacob of Bulgaria, 85.6, 89.27; Gregory of Cyprus, PG, vol. 142, cols. 360A, 412C, 413B; Previale, "Un panegirico inedito," 30.2; Choumnos, AG, vol. 2, 32, 39, 40–41; Metochites, Cod. Vindob. phil. gr. 95, f. 92 v.; Lampenos, *Encomium*, 66.13; Anonymous of Vat. gr. 112, ff. 33 r., 34 r.–v.; Planoudes, "Basilikos," BSl, 29 (1968), 35.794–36.847. Intelligence (φρόνησις): Jacob of Bulgaria, 90.3–5; Akropolites II, 18.7, 21.14, 21.20; Previale, "Un panegirico inedito," 27.20, 33.8–10; Gregory of Cyprus, PG, vol. 142, cols. 357D, 400D, 413B; Choumnos, AG, vol. 2, 19, 32, 34; Planoudes, "Basilikos," BSl, 29 (1968), 34.738–758; Lampenos, *Encomium*, 56.1–10; Anonymous of Vat. gr. 112, ff. 35 v.–36 r.; Gregoras I, 330.6–7, 332.24, 336.19, and B, 41 (1971), 506.106–112; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, ff. 61 r., 62 r. The idea of the four cardinal virtues goes back to Plato's *Republic*, 427d–448e. There is no study of how Byzantine authors used and understood the four cardinal virtues. For Western patristic authors and the early medieval West, see S. Mähl, *Quadriga virtutum. Die Kardinaltugenden in der Geistesgeschichte der Karolingerzeit* (Cologne, 1969).

[16] Theodore II, *Encomio*, 67.543; Jacob of Bulgaria, 85.7–8; Planoudes, "Basilikos," BSl, 29 (1968), 36.851–853.

[17] Nikephoros Choumnos, AG, vol. 2, 32. The poet Manuel Philes described the paintings in nine of his poems. See *Manuelis Philae Carmina*, vol. 1, ed. E. Miller (Paris, 1855; repr. Amsterdam, 1967), 124–26. A twelfth-century building in the imperial palace, probably the Blachernae, had a mural portraying Manuel in the company of the virtues. See P. Magdalino and R. Nelson, "The Emperor in Byzantine Art of the Twelfth Century," BF, 8 (1982), 142 ff.

[18] Avoidance of luxury (χλιδή, τρυφή, ἡδυπάθεια): Choniates, *Orationes*, 135.1; Theodore II, *Encomio*, 65.482–483; Jacob of Bulgaria, 85.20–21; Akropolites II, 15.24–25, Lampenos, *Encomium*, 66.9–10, 66.28–29, 74.3–9, 80.34; Planoudes, "Basilikos," BSl, 29 (1968), 36.832. Avoidance of money: Theodore II, *Encomio*, 65.482; Anonymous of Vat. gr. 112, f. 35 v. Avoidance of laughter: Theodore II, *Encomio*, 65.499; Planoudes, "Basilikos," BSl, 29 (1968), 36.839–840; Lampenos, *Encomium*, 72.29–36 (avoiding mimes and jesters). Avoidance of music: Theodore II, *Encomio*, 65.484–485 (music and horse racing); Planoudes, "Basilikos," BSl, 29 (1968), 36.836–837. Avoidance of hunting: Theodore II, *Encomio*, 65.484, Gregory of Cyprus, PG, vol. 142, col. 361C. Avoidance of bathing: Planoudes, "Basilikos," BSl, 29 (1968), 36.835; Lampenos, *Encomium*, 74.6. Perspiration on behalf of the subjects: Choniates, *Orationes*, 132.8–9; Theodore II, *Encomio*, 65.491–492; Previale, "Un panegirico inedito," 22.20. Thirst and hunger: Theodore II, *Encomio*, 65.489, 66.512, 66.528; Previale, "Un panegirico

related to another standard image in the panegyrics, namely his tireless care for his subjects. The adjective "untiring," the idea of vigilance and various words designating care are very common in the panegyrics.[19] The persistent emphasis on the emperor's stoicism should not, of course, be interpreted as a statement of fact but as an evidence for the kinds of leisurely activities of the emperor and his court.

Another important imperial virtue present in propaganda is the military prowess of the ruler. The emphasis on military virtues echoed Menander's suggestion that the orator must describe the emperor's armor and the moment of his engagement with the enemy during battle. In the fourteenth century Joseph the Philosopher also advised panegyrists to praise the excellence of the armor of the emperor.[20] In fact, the description of military virtues in late Byzantine imperial propaganda was far more extensive than the prescriptions of rhetorical manuals. All emperors were praised for being warriors who fought in the midst of battle, in addition to serving as generals and tacticians.[21] The rhetoricians paid special attention to the skill of the emperor in horsemanship, whether displayed in battle or during his upbringing.[22] Preambles to chancery documents, especially monastic ones, also presented the emperor as a general and soldier. The preambles compared the monks – who by their incessant prayers assisted the emperor to defeat his enemies – to soldiers.[23] The simile allowed for an excursus on the importance of military values and on the duty of the emperor to train

inedito," 22.21; Lampenos, *Encomium*, 73.31–32; Planoudes, "Basilikos," BSl, 29 (1968), 36.841–843; Hyrtakenos, AG, vol. 1, 253.

19 Untiring (ἀκάμας): Jacob of Bulgaria, 88.11; Akropolites II, 17.18; Holobolos, *Orationes*, 66.12; Metochites, Cod. Vindob. phil gr. 95, f. 87 v.; Lampenos, *Encomium*, 45.21. Vigilance (ἀγρυπνία): Gregory of Cyprus, PG, vol. 142, col. 361C; Hyrtakenos, AG, vol. 1, 253. Care for the subjects (πρόνοια, κηδεμών, κηδεμονία, μελεδών, μέριμναι, φροντίς): Jacob of Bulgaria, 90.9; Holobolos, *Orationes*, 50.5–6, 59.26; Gregory of Cyprus, PG, vol. 142, cols. 368D, 377B–D, 380C, 401A–C, 405A; Planoudes, "Basilikos," BSl, 29 (1968), 40.1069, 43.1205; Lampenos, *Encomium*, 67.32, 74.5; Anonymous of Vat. gr. 112, ff. 32 r., 35 r.; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 59 v. Cf. Hunger, *Prooimion*, 94–100, for the idea that the emperor cared about his subjects night and day.

20 *Menander Rhetor*, ed. D. Russell and N. Wilson (Oxford, 1981), 86; Joseph the Philosopher, *Summation of Rhetoric*, in Walz, *Rhetores Graeci*, vol. 3, 524.

21 The rhetoricians called the emperor στρατιώτης or μαχητής (in the case of the Nicaean emperors), or πολεμιστής (in panegyrics of the Palaiologoi): Choniates, *Orationes*, 141.20; Akropolites II, 19.11; Gregory of Cyprus, PG, vol. 142, col. 364B; Holobolos, *Orationes*, 94.3, 94.5; Previale, "Un panegirico inedito," 23.15–16, 30.10–11.

22 ἱππασία, ἱππηλασία, ἱππική, ἱπποσύνη: Choniates, *Orationes*, 132.15, 170.26; Akropolites II, 27.25; Gregory of Cyprus, PG, vol. 142, col. 400A; Choumnos, AG, vol. 2, 17; Metochites, Cod. Vindob. phil. gr., f. 85 v.; *Manuelis Philae carmina*, vol. 1, ed. E. Miller, 272–73.

23 See, for example, Esphigmenou, no. 6 (Michael VIII's chrysobull of 1259; Dölger, *Regesten*, 1867a, *olim* 2078); Zographou, no. 11 (Andronikos II's chrysobull of 1289; Dölger, *Regesten*, 2136); Lavra II, no. 94 (Andronikos II's chrysobull sigillion of 1302; Dölger, *Regesten*, 2382).

soldiers and lead campaigns.[24] Coinage and court ceremonies highlighted, too, the military duties of the imperial office. On numismatic issues after 1204 the emperor appeared occasionally holding a sword and often in the company of military saints – a militaristic imperial iconography which had evolved since the eleventh century.[25] The inauguration ritual of the elevation of the new emperor on a shield – a late antique ceremony last attested in 602 and possibly revived during the eleventh or the twelfth century – was consistently practiced in Nicaea and after 1261, under the Palaiologoi.[26] The pictorial representation of the emperor on horseback adorned imperial banners and the shields of palace guardians during the Palaiologan period.[27]

Another ideological value common to the panegyrics was the universalist claim of the imperial office for domination over the entire civilized world or *oikoumene*.[28] This claim suffered a blow with the loss of Constantinople – an event which caused, as we have seen, the disappearance of some external signs of the exalted status of the Byzantine imperial office. For a while after 1204 the imperial idea of dominance over the *oikoumene* was considered no longer suitable for the new realities. As an imperial attribute, ecumenicity was conspicuously absent from the issues debated during the 1220s between Epirote and Nicaean ecclesiastics, who quarreled over the legitimacy of the two rival emperors. Rather, it was the patriarch of Nicaea who claimed to

24 MM, vol. 5, 264 (Andronikos II's chrysobull (after 1294) for the monastery of the Anastasis with a preamble by Choumnos; Dölger, *Regesten*, 2085); Vatopedi, no. 68, 373 (Andronikos III's chrysobull of 1329 for the Vatopedi monastery; Dölger, *Regesten*, 2746). One model preamble presented a gory description of the emperor as a soldier who has the habit of dyeing his sword with barbarian blood. See Hunger, *Prooimion*, no. 11, 231; Cf. ibid., no. 4, 220.

25 Isaac I Komnenos was the first to introduce a brandished sword on his gold coins. See P. Grierson, DOC, vol. 3, part 2 (Washington, DC, 1973), 759–62. For the period of the twelfth through the fourteenth century, see M. Hendy, DOC, vol. 4, part 1 (Washington, DC, 1999), 210 (Alexios I Komnenos); vol. 4, part 2 (Washington, DC, 1999), 497 (John III Vatatzes); P. Grierson, DOC, vol. 5, part 2 (Washington, DC, 1999), no. 888 (Andronikos II). Images of emperors in civilian attire in the company of military saints appear first on the coinage of Alexios I and are very common on post-1204 Byzantine coins.

26 For this late antique ritual of Germanic origin, see W. Ensslin, "Zur Torqueskrönung und Schilderhebung bei der Kaiserwahl," *Klio*, 35 (1942), 293 ff.; O. Treitinger, *Die oströmische Kaiser-und Reichsidee nach ihrer Gestaltung im höfischen Zeremoniell* (Darmstadt, 1956), 23; C. Walter, "Raising on a Shield in Byzantine Iconography," REB, 33 (1975), 133–75, esp. 157–66. The earliest solid evidence after 602 about this ceremony dates to the thirteenth century. George Akropolites (I, 105.20–21) speaks of the raising of Theodore II Laskaris on a shield in 1254 as "a custom" at imperial coronations; mentions of the ritual multiply during the Palaiologan period. Indirect evidence suggests the reintroduction of the ritual already during the eleventh or the twelfth century. See A. Kazhdan, "The Aristocracy and the Imperial Ideal," in M. Angold (ed.), *The Byzantine Aristocracy, IX to XIII Centuries* (Oxford, 1984), 51. G. Ostorogorsky, "Zur Kaisersalbung und Schilderhebung im spätbyzantinischen Krönungszeremoniell," *Historia*, 4 (1955), 246–56, hypothesized that the reintroduction of the ceremony dates to the period after 1204.

27 Pseudo-Kodinos, 196, 273.

28 The Byzantines entertained also the idea of a "limited *oikoumene*" (ἡ καθ' ἡμᾶς οἰκουμένη). For this expression, see Pachymeres II.iv, 337.5. This idea is not found in imperial panegyrics, however.

be the "ecumenical eye" in accordance with his official title of "ecumenical patriarch and archbishop of Constantinople, New Rome."[29] Nevertheless, already during the 1240s and the 1250s the language of universalist kingship was revived in the political rhetoric in Nicaea. In his *prokypsis* poem (1240–41) Nicholas Eirenikos called John III Vatatzes the eye of the *oikoumene*.[30] In his epitaph on Vatatzes, George Akropolites praised Theodore II Laskaris as the sun which shines not only on the land of the Romans, but also on the entire *oikoumene*.[31] The image of the emperor as a center and even leader of the *oikoumene* persisted into imperial encomia on the Palaiologan emperors.[32] We shall soon see how the reconquest of Constantinople in 1261 brought to fever pitch the voices which maintained the illusion that Byzantium was still an empire enjoying a dominant position in the world.

Virtues ascribed to at least three of the four emperors praised in prose panegyrics (Theodore I, John III, Michael VIII, and Andronikos II) can be considered common imperial characteristics. These virtues are piety,[33] generosity,[34] philanthropy,[35] shrewdness,[36] cheer,[37] gentleness,[38]

29 V. Vasil'evskii, "Epirotica saeculi XIII," VV, 3 (1896), 273.23, where John Apokaukos made a reference to the signature of the patriarch as "ecumenical." See A. Stavridou-Zafraka, *Νίκαια και Ήπειρος τον 13° αιώνα. Ιδεολογική αντιπαράθεση στην προσπάθειά τους να ανακτήσουν την αυτοκρατορία* (Thessaloniki, 1990), 203.

30 Heisenberg, *Palaiologenzeit*, 104.103–104. Cf. Theodore II, *Encomio*, 63.455, 78.826–827.

31 Akropolites II, 29.

32 Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 59 r.: σκάφους ὡς εἰπεῖν ὅλου προστατοῦντα τῆς οἰκουμένης; f. 63 v.: τὸ λαμπρὸν καὶ μέγα τῆς οἰκουμένης ἐντρύφημα; cf. also patriarch John XIV Kalekas, in OCP, 27 (1961), 45.28–30 (may the family of the Palaiologoi lead the *oikoumene* into the ages of ages).

33 Choniates, *Orationes*, 174.6; Jacob of Bulgaria, 92.4; Holobolos, *Orationes*, 36.27, 38.8–12, 85.9; Gregory of Cyprus, PG, vol. 142, col. 357C, 405C, 409B; Previale, "Un panegirico inedito," 25.16, 27.17; Choumnos, AG, vol. 2, 51, 55; Metochites, Cod. Vindob. philol. gr. 95, ff. 90 v., 147 v.; Planoudes, "Basilikos," BSl, 29 (1968), 37.900; Lampenos, *Encomium*, 61.12, 62.30–32, 69.12, 71.10–11; Hyrtakenos, AG, vol. 1, 248.

34 εὐεργεσία or εὐποιΐα: Theodore II, *Encomio*, 60.377–61.379, 62.426, 67.551–68.569; Holobolos, *Orationes*, 36.1 ff, 44.28–32; Gregoras I, 341.13–24; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 63 r.; Planoudes, "Basilikos," BSl, 28 (1967), 55.166–56.234.

35 Choniates, *Orationes*, 144.4–5; Akropolites II, 24.3; Holobolos, *Orationes*, 58.36, 87.12; Previale, "Un panegirico inedito," 17.19, 24.6, 43.4–9. For the philanthropic nature of Andronikos II, see chapter 4, pp. 139–45.

36 ἀγχίνοια: Jacob of Bulgaria, 86.20, 89.12; Gregory of Cyprus, PG, vol. 142, col. 360B, 397D; Metochites, Cod. Vindob. philol. gr. 95, ff. 94 v., 147 v.; Lampenos, *Encomium*, 37.28–29, 59.1.

37 ἱλαρότης: Theodore II, *Encomio*, 61.382–383; Akropolites II, 22.26; Lampenos, *Encomium*, 71.16–18; Metochites, Cod. Vindob. philol. gr. 95, ff. 81 v., 85 v., 86 r.; Gregoras, B, 41 (1971), 514.134, 515.146; Planoudes, "Basilikos," BSl, 28 (1967), 59.377–378.

38 πραότης: Theodore II, *Encomio*, 49.65, 60.362 ff.; Jacob of Bulgaria, 87.4–5; Akropolites II, 22.26; Holobolos, *Orationes*, 37.35, 57.7; Gregory of Cyprus, PG, vol. 142, cols. 384C, 413B; Choumnos, AG, vol. 2, 5, 49; Planoudes, "Basilikos," BSl, 28 (1967), 59.372–387; BSl, 29 (1968), 40.1054.

goodness,[39] and compassion.[40] In addition, it was standard to compare the emperor with an eagle or a lion, the king of the animal world.[41] The emperor was commonly presented as a savior,[42] helmsman,[43] doctor,[44] shepherd of the people (a Homeric image with an allusion to Christ),[45] and philosopher.[46]

Besides the routine imperial virtues, a standard array of historical, mythological, and biblical figures served as comparative models (see table 2). Menander had advised panegyrists to liken the emperor to Heracles, Romulus, Cyrus, Achilles, the Dioscuri, the sons of Asclepius, and Alexander the Great, and had also recommended works from which orators were to derive models for comparison: the Homeric epics and the histories of Herodotus, Thucydides, Theopompus, and Xenophon.[47] In the fourteenth century Joseph the Philosopher mentioned many of the same figures (Achilles, Alexander, and Cyrus) as well as Caesar. He suggested that the orator should use as his sources, besides classical texts (the Iliad, Apollodorus of Rhodes, Herodotus, and Aesop), also the Old Testament, the Books of Kings in particular.[48] As the table shows, certain comparative figures were the rhetoricians' favorites. Each single emperor of the period

39 ἐπιείκεια or χρηστότης: Jacob of Bulgaria, 92.3; Theodore II, *Encomio*, 52.146; Holobolos, *Orationes*, 36.32, 42.18; Previale, "Un panegirico inedito," 23.18, 30.11; Gregory of Cyprus, PG, vol. 142, cols. 348D, 404B; Planoudes, "Basilikos," BSl, 28 (1967), 58.343, 59.372–373; BSl, 29 (1968), 39.1006, 39.1017, 40.1054; Lampenos, *Encomium*, 30.25–26, 38.24, 67.30, 68.39; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, ff. 59 v., 62 r.

40 συμπάθεια: Theodore II, *Encomio*, 60.357, 68.570–576; Akropolites II, 21.27–22.15, 29.11–12; Previale, "Un panegirico inedito," 43.20; Gregory of Cyprus, PG, vol. 142, col. 409D; Choumnos, AG, vol. 2, 16, 48, 49; Anonymous of Vat. gr. 112, in Kourouses, "Galesiotes," 365.62; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 62 v.

41 Eagle: Choniates, *Orationes*, 132.17; Previale, "Un panegirico inedito," 37.21; Hyrtakenos, AG, vol. 1, 253. Lion: Choniates, *Orationes*, 132.17; 139.20–21; Theodore II, *Encomio*, 48.51–49.52; Jacob of Bulgaria, 89.6; Gregory of Cyprus, PG, vol. 142, col. 416A; Lampenos, *Encomium*, 71.22–23.

42 ῥύστης or σωτήρ: Choniates, *Orationes*, 171.24; Theodore II, *Encomio*, 47.16, 50.91–92 (of the Turks), 61.386–387 (of the Romans); Holobolos, *Orationes*, 57.10, 65.1 (of Constantinople); Gregory of Cyprus, PG, vol. 142, col. 368D; Lampenos, *Encomium*, 37.30, 46.22, 76.10; Choumnos, AG, vol. 1, 14, 30; Metochites, Cod. Vindob. philol. gr. 95, f. 149 r.

43 Holobolos, *Orationes*, 36.14; Planoudes, "Basilikos," BSl, 28 (1967), 60.435, 61.444; BSl, 29 (1968), 39.977–982; Hyrtakenos, AG, vol. 1, 250; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 59 r.

44 Choumnos, AG, vol. 2, 20; Planoudes, "Basilikos," BSl, 29 (1968), 39.1009; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 59 r.

45 Shepherd of the people: Choniates, *Orationes*, 141.23; Lampenos, *Encomium*, 66.22–23. Shepherd: Theodore II, *Encomio*, 60.356; Planoudes, "Basilikos," BSl, 28 (1967), 60.434–435, 61.444.

46 Theodore II, *Encomio*, 58.319–59.324; Akropolites II, 27.30; Gregory of Cyprus, PG, vol. 142, col. 412C; Metochites, Cod. Vindob. philol. gr. 95, f. 93 v.; Lampenos, *Encomium*, 31.7–9, 41.25, 54.24, 57.27–29, 65.16, 70.33, 71.4–5; B, 41 (1971), 503–10, *passim*.

47 *Menander Rhetor*, 78, 80, 82, 87, 88, 92.

48 Joseph the Philosopher, *Summation of Rhetoric*, in Walz, *Rhetores Graeci*, vol. 3, 524.31–525.9, 541.14–21. Joseph considered, however, comparisons with classical figures to be inappropriate for panegyrics of the patriarch.

Table 2. *Comparative figures in imperial panegyrics*

Biblical	Classical
THEODORE I LASKARIS	
Niketas Choniates	
Christ (twice): 172.30–173.8, 174.3–4	Achilles: 171.10–11
David (four times): 134.19–21, 139.16–17, 171.11–19, 173.21	Ajax: 133.8–9
Moses: 147.1–2	Alexander (three times): 129.1–29, 130.11–13, 171.25–172.7
Paul: 132.4–6	Antigonus the Squanderer: 135.24–25
Zorobabel (twice): 147.4–7, 175.32–34	Athena and Tydides: 133.8–9
	Brasidas: 172.8–9
	Brutus: 147.10–11
	Callimachus: 173.9–20
	Constantine the Great: 175.5–6
	Electra: 130.21–22
	Harmodius: 147.11–12
	Odysseus: 131.9–10
	Timoleon: 147.11
JOHN III VATATZES	
Theodore II Laskaris	
Christ: 50.101	Agamemnon: 73.694–710
David: 74.725–731	Alexander: 69.605–70.625
Elias: 67.545	Marc Antony: 73.713
Moses: 57.283–291	Brutus: 73.713
Nabuchodonosor: 71.664–72.674	Caesar: 70.626–71.648
Paul (twice): 50.101, 67.545–546	Cato: 73.713
Solomon: 74.725–731	Constantine the Great: 74.732–75.760
	Cyrus: 71.649–71.663
	Demetrius Poliorketes: 72.675–680
	Hadrian: 73.714
	Hannibal: 73.713
	Justinian: 75.761–764
	Pompey: 73.714
	Theodosius: 75.765–770
	Trajan: 73.714
	Urbicius: 73.714
	Xerxes: 72.681–693
Jacob of Bulgaria	
David (four times): 83.27–31, 86.2, 87.4–5, 92.22–23	Achilles: 88.18–22
John the Baptist: 84.16	Constantine the Great: 92.1–10
Joshua: 83.26–27	
Moses: 83.23–24	
Solomon (twice): 87.5, 90.14	
Zorobabel: 83.32–84.2	

Table 2. *(Cont.)*

Biblical	Classical
George Akropolites	
David: 22.27	Agamemnon: 28.7 (Theodore II Laskaris)
Joseph: 23.21–23	Titus 23.16–21
Noah: 24.6–14	
MICHAEL VIII PALAIOLOGOS	
Manuel Holobolos	
Anakim (Deuteronomy 9:2): 41.7	Achilles (twice): 37.11, 97.33
Benaiah (II Kings 20:23, 23:20): 86.3–4	Alexander (four times): 40.22–24, 71.8–10, 84.21. 97.34
Bezalel (Exodus 35:30 ff.): 53.36	Asteropaios: 93.18
David (five times): 34.30–36, 38.22, 41.35–42.4, 73.21, 92.20–93.4	Augustus (twice): 43.1, 46.4
Jacob: 73.4–5	Brasidas (twice): 46.1, 97.33
Joseph: 33.23	Caesars of old: 42.35–36
Joshua (twice): 41.28–34, 86.3–4	Cato (twice): 46.3, 97.33
Moses (four times): 41.23–28, 57.5 (New Moses), 73.13, 83.19–20 (New Moses)	Cicero: 45.36–46.1
Nimrod (Genesis 10:8–12): 41.7	Cleanthes: 84.17
Samuel: 73.9	Cleon: 84.19
Sarabias (II Ezra 18:7): 86.4	Cleitus: 84.14
Solomon (three times): 37.34, 38.25, 57.8 (New Solomon)	Constantine the Great: 57.4 (New Constantine).
Zorobabel (three times): 57.9 (New Zorobabel), 83.21 (New Zorobabel), 86.3	Cyrus (four times): 33.25, 46.3, 63.10, 75.22–23
	Darius: 63.10
	Demetrius Poliorketes: 84.16
	Hannibal (twice): 42.36, 46.1
	Heracles: 60.9
	Kings of the Macedonians: 84.23
	Lucullus: 46.2
	Lysimachus: 71.11–14
	Marcus Aurelius: 42.17
	Meriones: 37.10
	Minos: 46.2
	Pandarus (twice): 37.10, 97.33
	Pericles (twice): 84.19, 92.5 (Constantine Palaiologos)
	Radamanthes: 46.2
	Themistocles (twice): 45.36, 92.5 (Constantine Palaiologos)
	Theodorus of Cyrene: 36.25
	Scipio: 45.36
	Xerxes (three times): 43.17–20, 63.10, 76.1–2
Manuel Holobolos (?), ed. Previale, "Un panegirico inedito"	
David (twice): 20.1, 26.6 (New David)	Alexander: 38.11–17
Zorobabel: 24.13	Achilles: 34.15–35.9

(cont.)

Table 2. *(Cont.)*

Biblical	Classical
	Apollo: 39.3 Constantine the Great (twice): 26.6–7, 28.19 Homeric hero: 25.14 Themistocles: 35.25
Gregory of Cyprus David (three times): 358B, 368C, 384C Moses (twice): 368C, 384C Joshua (twice): 368C, 384C Solomon: 384D	Alexander (twice): 360D, 384B Ares: 361A Asteras: 365A Augustus: 384B Brasidas: 365C Cimon: 365C Constantine the Great: 384D Cyrus: 384B Darius: 384B Epaminondas: 365D Hannibal: 365D Hector: 361A Justinian: 385A Miltiades: 365B Nestor: 360C Pericles: 365C Plato: 360C Scipio: 365D Sirens: 356D Themistocles (three times): 360D, 365A, 365C Theodosius: 384D
ANDRONIKOS II PALAIOLOGOS	
Gregory of Cyprus Constantine the Great: 409B Solomon: 400B Zorobabel: 405D	Agesilaus: 412D Alexander: 393B Hercules: 393D Orpheus: 397A Sirens: 397A
Nikephoros Choumnos Adam: 9 Christ (twice): 15, 49 David: 49	
Theodore Metochites David (twice): ff. 93 r., 95 r.	Agesilaus: ff. 149 v.–150 r. Augustus: ff. 87 v.–88 v. Hector: ff. 148 v.–149 r.

Table 2. *(Cont.)*

Biblical	Classical
Nicholas Lampenos David: 77.18–26 Ezekias: 75.27–30 John the Baptist: 41.16–17 Joseph: 55.26–31 Moses: 63.7 Solomon: 77.27–33	Achilles: 44.23–24 Agesilaus: 48.26–49.2 Alexander (three times): 53.35–54.1, 59.30–60.2, 65.3–7 Antigonus: 53.33–35 Bellerophon: 55.32 Constantine the Great: 78.7–19 Epaminondas: 49.29–31 Hippias: 59.27 Menestheus: 45.9 Minos: 54.2 Odysseus: 55.10–12 Peleus: 55.32 Periander: 64.34 Pericles (twice): 59.30–60.2, 65.9 Pittacus: 65.1–2 Plato: 54.3–13 Plato's ideal king: 50.7–11 Scipio: 50.2–7 Solon: 54.2 Teucer: 45.5 Titus: 65.7–8 Themistocles: 42.33–44.3 Trajan: 60.19–25
Theodore Hyrtakenos Adam: 251 Christ: 253	Constantine the Great: 252
Anonymous of Vat. gr. 112 (Manuel Holobolos or George Galesiotes)[1]	Agamemnon: f. 33 r. Alexander (twice): 366.86* ff, f. 33 r. Caesar: 366.85–86* Heracles: 366.84* Minos: f. 35 v. Romulus: 366.84–85*
Nikephoros Gregoras[2] David: 338.14 Solomon: 336.5–12	Alexander (three times): 510.1–12*; 511.33–41*, 514.120–128* Calliope: 336.5 Demonax: 331.7–9 Demosthenes: 335.21–22 Dionysius of Sicily: 513.87–90* Miltiades: 337.14–17 Nestor: 333.17 Orpheus: 333.24–334.2

(cont.)

Table 2. *(Cont.)*

Biblical	Classical
	Pericles: 333.17 Plato (three times): 334.14, 335.22–23, 503–510* Pythagoras: 333.8 Sirens: 335.14–21 Socrates (twice): 334.14, 336.1–2 Themistocles: 337.13–14 Zenon: 334.14
Matthew of Ephesos Moses: f. 59 r.	
ANDRONIKOS II PALAIOLOGOS AND MICHAEL IX PALAIOLOGOS	
Maximos Planoudes[3]	
David: 46.1313–1336 (Michael IX)	Alexander: 48.1416 (Michael IX) Apollo: 54.142–143 (Michael IX) Constantine the Great: 43.1196–1197 (Michael IX as New Constantine) Cyrus 431.3–4*: (Andronikos II) Heracles (twice): 65.680 (Michael VIII); 36.834 (Andronikos II) Pericles 431.4*: (Andronikos II) Sardanapallus: 36.833–834 (Andronikos II) Titus: 56.231 (Michael IX)

NOTE: References follow the editions and manuscripts used, unless otherwise indicated.
[1]Entries marked with an asterisk refer to S. Kourouses, "Galesiotes."
[2]Entries marked with an asterisk refer to P. Leone, "Nicephori Gregorae ad Imperatorem Andronicum II Paleologum orationes," B, 41 (1971), 497–519.
[3]Entries marked with an asterisk refer to S. Kourouses, "Νέος κῶδιξ τοῦ 'βασιλικοῦ' Μαξίμου τοῦ Πλανούδη," *Ἀθηνᾶ*, 73–74 (1972–73), 426–34.

was likened to Achilles and Alexander (both found in rhetorical guidebooks) as well as to Moses, David, Zorobabel, and Constantine the Great (none found in any surviving manual). Undoubtedly the most popular among these figures was the biblical king David, who appears more than twenty times in the panegyrics. By contrast, similar Old Testament figures, such as Moses and Solomon, were used half as often. Comparisons with King David appear to have been particularly popular because they served to legitimize rhetorically the accession of the emperor to the throne. As we shall see in the next chapter, the emergence of David as a rhetorical model of kingship dates back to, at least, the ninth century, and the late Byzantine orators built upon an established tradition. The importance of David notwithstanding, the panegyrics were never fully infused with biblical ideas. After David, Alexander the Great was the second most popular model of kingship. By contrast, only three Byzantine emperors from earlier periods – Constantine the Great, Theodosius, and Justinian – appear in the speeches, bearing witness to a sense of continuity with the late Roman empire.

The existence of a common core of imperial virtues and ideological values is significant. Even more important is the circumstance that this ideological core coincides with the traditional and centuries-old tenets of the Byzantine *Kaiseridee*. The ideas of sacral rulership and the sun-emperor were cornerstones of Byzantine imperial ideology and had a long history, stretching back to late antiquity and the Hellenistic period.[49] Since the times of Constantine the Great the idea of the sun-emperor had a powerful visual expression in Constantinople. A statue of Constantine in the guise of Helios-Apollo, with rays projecting from his head, stood on a porphyry column in Constantinople until it fell and was broken to pieces during a violent storm in 1109.[50] The idea of imperial ecumenicity originated in the late antique period, when Rome was a true world empire dominating the entire Mediterranean. In the early and the middle Byzantine periods we find an elaborate Byzantine conception of the family of kings under the honorary paternal authority of the emperor in Constantinople. Imperial panegyrics of the eleventh and twelfth centuries continued to portray the emperor as a ruler of the *oikoumene*.[51] Furthermore, the common virtues of the emperor which we have isolated, such as, for example, his care for his subjects, and the epithets helmsman or victor, are identical with virtues traced by Hunger in his study of the Byzantine imperial idea. The emphasis on military virtues belongs, too, to ideological tradition. Roman victory ideology left a deep imprint on early medieval propaganda, both in Byzantium and in the West.[52] In the context of ideological developments in the middle Byzantine empire, the stress on warrior

[49] W. Ensslin, *Gottkaiser und Kaiser von Gottes Gnades* (Munich, 1943) (parts reprinted in H. Hunger (ed.), *Das byzantinische Herscherbild* (Darmstadt, 1975), 54–85). On the sun-king, see E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies*, 1 (1928), 76–82; Hunger, *Prooimion*, 75–76. On the idea of the sun-king in the medieval West, see H. Fichtenau, *Arenga: Spätantike und Mittelalter in Spiegel von Urkundenformeln* (Graz and Cologne, 1957), 35–37; E. Kantorowicz, "Dante's 'Two Suns'," in *Selected Studies* (New York, 1965), 325–38.

[50] C. Mango,"Constantine's Column" and "Constantine's Porphyry Column and the Chapel of St. Constantine," in *Studies in Constantinople* (Aldershot, 1993), Studies III and IV.

[51] G. Ostrogorsky, "Die byzantinische Staatenhierarchie," SK, 8 (1936), 41–61; G. Ostrogorsky, "The Byzantine Emperor and the Hierarchical World Order," *The Slavonic and East European Review*, 35 (1956–57), 1–14; N. Radošević, "L'Oecuménè byzantine dans les discours imperiaux du XI[e] et XII[e] siècle," BSl, 54 (1993), 156–61.

[52] M. McCormick, *Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium, and the Early Medieval West* (Cambridge and Paris, 1986). The epithets "victor" and "trophy winner" are attested in the panegyrics: Choniates, *Orationes*, 130.1–2, 139.17; Holobolos, *Orationes*, 41.20–21; Metochites, Cod. Vindob. philol. gr. 95, f. 149 r. Cf. Hunger, *Prooimion*, 73–75

values reflects the renewed militarization of the imperial image during the eleventh and the twelfth centuries.[53] Stoic imperial virtues figured prominently in late antique court rhetoric and were traditional for the mirrors of princes.[54]

The oft used imperial virtues, epithets, and comparative figures scarcely tell, however, the entire story of official ideology after 1204. In fact, the old ideological commonplaces coexisted with new interpretations. The methodology for studying variations in the imperial image must be consistent and applied carefully. Certain imperial virtues are restricted to a single author or two authors at most. These virtues must, therefore, reflect individual views and literary tastes. More importantly, some ideological values run across panegyrics by different authors, yet they are unique to the reign of a single emperor or distinguish the image of the Nicaean rulers from that of the Palaiologoi. This type of variance in the imperial image bespeaks a genuine ideological change over time. A cautionary word is warranted, however. Changes in the public presentation of a particular emperor could be due to adherence to a particular rhetorical manual or model at this particular time. The praise of the physical virtues of the Palaiologoi, not attested in the Nicaean period, is a case in point.[55] Evidently this tendency came from reliance on the rhetorical guidebooks of Hermogenes and Aphthonios as well as, possibly, model orations from the twelfth century, where physical imperial virtues were prominent. Yet one must remember that the rhetoricians had a considerable degree of choice as to which rhetorical manual or model to use. Furthermore, in the case of genealogical virtues and praise of the native city, rhetorical manuals such as Menander and the *Rhetorica Marciana* advised orators to make a conscious choice whether or not to cover these episodes of the biography of the emperor.[56] The lack of

[53] Kazhdan, "The Aristocracy and the Imperial Ideal," 43–57; A. Kazhdan and A. Epstein, *Change in Byzantine Culture in the Eleventh and Twelfth Centuries* (Berkeley, 1985), 110–19.

[54] See, for instance, Themistius, Or. 1, 5d–6a, where the virtues of continence, endurance, and control over irrational passions are stressed. The virtues of the king's self-control goes back to Isocrates, *Ad Nicoclem*, 29, in *Isocratis orationes*, ed. G. E. Benseler, vol. 1 (Leipzig, 1856), 20. Cf. chapter 6, p. 192.

[55] The bodily virtues of beauty (κάλλος, καλλόνη or ὡραιότης) and strength (ἰσχύς or ῥώμη), recommended by Hermogenes and Aphthonios, are found in orations after 1261. See Holobolos, *Orationes*, 72.30, 75.6; Gregory of Cyprus, PG, vol. 142, cols. 356B–D, 360B, 373B, 396C, 397A, 400A; Previale, "Un panegirico inedito," 27.19; Choumnos, AG, vol. 2, 2, 4, 35, 39–40; Metochites, Cod. Vindob. phil. gr. 95, ff. 85 v., 147 v.; Planoudes, "Basilikos," BSl, 28 (1967), 54.127, 56.252; Lampenos, *Encomium*, 36.31, 37.28, 49.25; Gregoras B, 41 (1971), 509.200, 514.129–132. Akropolites' epitaph on John III Vatatzes, where the emperor was praised for his strength, appears to be an exceptional case. See Akropolites II, 13.13, 21.13.

[56] *Menander Rhetor*, 80; V. De Falco, "Trattato retorico bizantino (Rhetorica Marciana)," *Atti della societa Ligustica di scienze e lettere*, 9, fasc. 2 (1930), 99. The author of *Rhetorica Marciana* counseled the encomiast to begin with the ethnicity of the person praised (whether Frank or Byzantine). Then the orator was to proceed to his native city and family, which he could omit if these did not contribute to the encomium.

praise of the emperor's family or native city should not, therefore, necessarily be attributed to the influence of rhetorical models alone; rather, it must always be considered in close connection with developments in imperial ideology.

VARIATIONS IN THE IMPERIAL IMAGE

Authorial preferences

There can be no doubt that the court orators exhibited individual opinion and literary taste by focusing on some rare imperial virtues. Their idiosyncratic interpretations and verbal choices point to an effort to break the mold and distinguish their works from those of fellow rhetoricians. Thus Maximos Planoudes is the only orator to praise an emperor for the virtue of "vigor" (*eutonia*). The quality of "love of the poor" (*philoptochia*) is found only in the speech by Matthew of Ephesos. The virtues of "love for the good" (*philokalia*) and "magnanimity" (*megalopsychia*) were Theodore Metochites' favorites. Nicholas Lampenos was the only speaker to call an emperor an "animate light" (*phos empsychon*), an expression which he borrowed from Plotinus in order to convey the idea of the sun-like nature of the emperor.[57] More remarkable than these verbal choices was the attempt at revising Menander's scheme of four cardinal virtues. Theodore II Laskaris favored a departure from the traditional framework of four main virtues and suggested an alternative system of three virtues – zeal (*zelon*), truthfulness (*aletheia*), and mildness (*praotes*). The author noted that these three virtues corresponded to the four virtues of Menander. Zeal was the equivalent of courage, truthfulness corresponded to both intelligence and justice, and mildness paralleled justice alone. Moderation, the last of the four cardinal virtues which did not fit into this tripartite system, was acknowledged to be the crowning virtue of the ruler.[58]

The orators strove to define the specific meaning of the concept of the philosopher-ruler, and each did so in a way that reflected his own understanding of this vague image. In his epitaph on John III Vatatzes, Akropolites declared rhetorically that the accession of Theodore II Laskaris marked the beginning of the rule of a philosopher-king. By contrast, he noted, under

[57] On love for the good, see Metochites, Cod. Vindob. phil. gr., ff. 87 v., 93 r., 94 r., 157 v. On magnanimity, see Metochites, Cod. Vindob. phil. gr., ff. 81 v., 85 v., 87 v., 88 v., 89 v., 93 v., 146 v., 147 v., 152 v. The virtue of magnanimity is also encountered in Lampenos, *Encomium*, 43.35–36, 69.13, 71.12. On vigor, see Planoudes, "Basilikos," BSl, 56.250–57.255, 58.338. On love for the poor, see Matthew of Ephesos, Cod. Vindob. theol. gr., ff. 62 v., 64 v. On the expression "animate light," see Lampenos, *Encomium*, 70.12 and Plotinus, *Enneads*, 4.5.4.

[58] Theodore II, *Encomio*, 64.461–67.

Vatatzes kinship had been characterized by military virtues, such as horsemanship and archery.[59] Thus Akropolites understood philosophy as the great erudition of his own student, Theodore II. By contrast, Lampenos wrote that Andronikos II practiced the philosophy of the monk, in accordance with an early Christian definition of the meaning of the word philosophy.[60] Gregoras, who was interested in Platonic philosophy, presented Andronikos II as an embodiment of the ideal philosopher-ruler of Plato's *Republic* and thus made manifest his liking for Plato, even though he did not discuss the *Republic* in any depth.[61]

The orators expressed individual opinion also by choosing particular comparative figures and models of kingship. Some rhetoricians were indeed very fond of this rhetorical device (see table 2). Lampenos used the greatest number of comparative figures within a single oration, a total of thirty-four. He is closely followed by Holobolos with thirty-two in his first panegyric of Michael VIII. By contrast, Metochites' second imperial oration addressed to Andronikos II, which is similar in length to that of Holobolos, has only two comparative figures. Almost all orators used a combination of classical and biblical comparisons. Only two orators at the court of Andronikos II – the Anonymous of Vaticanus graecus 112 and Gregoras – compared the emperor solely with figures from classical Greek antiquity. This preference for classical antiquity appears to have been related to the renewed fascination with Hellenic culture in the Palaiologan period, the so-called Palaiologan renaissance. Nevertheless, Nikephoros Choumnos, a scholar with pronounced classical tastes and interests, used only biblical comparisons: Adam, David, and Christ. Choumnos probably wished to distinguish himself from other orators at Andronikos II's court, such as his tutor Gregory of Cyprus, who delivered a panegyric of the same emperor shortly before him and who used predominantly secular figures. Classical examples drawn from Roman antiquity rather than from Greek history and mythology were exceptional. Only a small number of them appear in the speeches of Theodore II Laskaris, Manuel Holobolos, Gregory of Cyprus, Theodore Metochites, and Nicholas Lampenos. In the case of Holobolos this was clearly connected to his interest in translating Latin literature. He was the only panegyrist in the period to quote a line from a Latin author,

[59] Akropolites II, 27.25 ff. It is noteworthy that Theodore II Laskaris himself spoke of Vatatzes as a philosopher-ruler, although he did not define the meaning of this concept. See Theodore II, *Encomio*, 58.319–59.324.

[60] Lampenos, *Encomium*, 71.5. See F. Dölger, "Zur Bedeutung von ΦΙΛΟΣΟΦΟΣ und ΦΙΛΟΣΟΦΙΑ in byzantinischer Zeit," *Byzanz und die europäische Staatenwelt* (Aalen, 1953), 125–36.

[61] P. Leone, B, 41 (1971), 505.75 ff. On the interest of Gregoras in the Platonic dialogues, see further chapter 8, pp. 281–82.

Virgil; the orator explained to his audience that Virgil was for the Latins what Homer was for the Hellenes.[62]

An important authorial interpretation concerned the ideology of Hellenism – an intriguing topic which presents special interest and deserves detailed treatment. Scholars have spotted signs of the strengthening of Hellenic ethnic consciousness in the Nicaean period. At the same time they have cautioned that Hellenism made no profound impact on Nicaean state ideology.[63] Indeed, the traditional titulature of the emperor and the persistent references in public discourse to the Nicaean imperial subjects as *Rhomaioi* demonstrates the continual legitimacy of the political ideology of Byzantium as the empire of New Rome. Hellenism played a limited role in Nicaean imperial ideology, confined mostly to the public activities of two high-ranking individuals: the patriarch Germanos II (1223–40) and the emperor Theodore II Laskaris (1254–58). Both the patriarch and the emperor played the role of official state ideologue of Hellenism. According to the autobiography of Nikephoros Blemmydes, in late 1224 or 1225 the Nicaean patriarch and his synod drafted a letter to the newly proclaimed emperor in the kingdom of Epiros, Theodore Komnenos Doukas, which allegedly stated that it was improper for people sharing the same origin to have two emperors and two patriarchs.[64] Thus the patriarch used ethnic identity as an argument against political division. It was not specified in the context whether this ethnic identity was Roman or Greek. It is significant, therefore, that the language of ethnic Greek self-identification is conspicuous in Germanos II's official correspondence. In his letters addressed to Western churchmen or dealing with the subject of ecclesiastical policy toward the Latins, Germanos II referred to the Orthodox population, within and outside the boundaries of the Nicaean state, with the term *Graikoi* (Γραικοί).[65] In a letter of 1232 to the Roman cardinals Germanos II

[62] Holobolos, *Orationes*, 69.33–36.

[63] See the rather different considerations by A. Vacalopoulos, *Origins of the Greek Nation: The Byzantine period, 1204–1461* (New Brunswick, 1970); M. Angold, "Byzantine 'Nationalism' and the Nicaean Empire," BMGS, 1 (1975), 49–70; N. Oikonomides, "La rinascita delle istituzioni bizantine dopo il 1204," in S. Gensini (ed.), *Vita religiosa e identità politiche: Universalità e particolarismi nell'Europa del tardo medioevo* (Pisa, 1998), 330.

[64] *Nicephori Blemmydae Autobiographia*, I, 14, ch. 23.8–9 (Laurent, *Regestes*, 1239). On the dating of this letter, see G. Prinzing, "Die *Antigraphe* des Patriarchen Germanos II. an Erzbischof Demetrios Chomatenos von Ohrid und die Korrezpondenz zum nikäisch-epirotischen Konflikt 1212–1233," *Rivista di studi bizantini e slavi*, 3 (1983) (= *Miscellanea Agostino Pertusi*, vol. 3), 49.

[65] Patriarchal letters to the inhabitants of Latin-held Cyprus (1229), to Pope Gregory IX (1232), to the Roman cardinals (1232) and to the Latin patriarch of Consatntinople, Nicholas of Castro Arquato (after 1234): PG, vol. 140, col. 617D (Laurent, *Regestes*, 1250); MB, vol. 2, 41 (Laurent, *Regestes*, 1256); Vat. gr. 1409, 360 r.–361 r. (Laurent, *Regestes*, 1257); Th. Uspenskii, *Obrazovanie vtorago Bolgarskago tsarstva* (Odessa, 1878), 75–78. (Laurent, *Regestes*, 1277).

even called Byzantium the "empire of the Greeks" (*basileia ton Graikon*) and engaged in a historical excursus of how in the past the empire had helped the papacy to liberate the Christian world from heresy.[66] One gains the impression that the arrival and the settlement of the Latins, who too claimed to be heirs to the political and cultural traditions of Rome, provided external stimulus for the articulation of an alternative, Hellenic conception of self-identity.

The word *Graikoi* as used by patriarch Germanos II bore connotations of both Hellenic identity and religious orthodoxy. This usage was not unusual by itself. Traditionally the word *Graikoi* was acceptable in Byzantium, even though it was rarely used, and was preferable to its synonym *Hellenes* ("Ελληνες), which bore negative connotations of paganism and unorthodoxy.[67] Patriarch Germanos thus found in the designation *Graikoi* a religio-ethnic self-signifier applicable to the context of antagonism towards the schismatic Latins. What was new after 1204 was the far greater extent of usage of the term *Graikoi* as well as the fact that both terms, *Graikoi* and *Hellenes*, entered the phraseology of official diplomatic correspondence and public oratory in the empire of Nicaea. As is well known, the eleventh and twelfth centuries saw the beginnings of a remarkable process of restoration of some of the original ethnic meaning of the word "Hellene".[68] To be descended from the Hellenes became for some literary figures a reason for pride rather than embarrassment. This process of ethnic awakening continued after 1204, and now it affected high-level public discourse. In 1237 John III Vatatzes dispatched an epistle to Pope Gregory IX, in which the Nicaean ruler retorted to the traditional Western designation of the Byzantines as *Graeci* by expressing his pride in being an heir to the wisdom of the ancient Hellenes.[69] For the emperor Theodore II Laskaris the Nicaean imperial subjects were none other than Hellenes.

[66] Vat. gr. 1409, f. 360 v. The Latin translation of this letter has survived. See *Matthæi Parisiensis, monachi Sancti Albani, Chronica majora*, vol. 3, ed. H. Luard (London, 1876), 455–60, here 458. The letter deals with the problem of the Union of the Church and accompanies an epistle sent at the same time to Pope Gregory IX (1227–41). See above, n. 65.

[67] The usage of the word *Graikoi* self-referentially to designate orthodox Greek-speakers is attested in earlier times in Byzantium, although never in official correspondence. See the references collected by G. Tzaras, "Τὸ νόημα τοῦ "γραικώσας" στὰ τακτικὰ Λέοντος Στ' τοῦ Σοφοῦ," *Byzantina*, 1 (1969), 135–157, and P. Magdalino, "Hellenism and Nationalism in Byzantium," *Tradition and Transformation in Medieval Byzantium* (Aldershot, 1991), Study XIV, 9–10, n. 41–43.

[68] Magdalino, "Hellenism and Nationalism in Byzantium,"10, nn. 45–47; J. Koder, "Griechishe Identitäten im Mittelalter: Aspekte einer Entwicklung," in A. Avramea, A. Laiou, and E. Chrysos (eds.), *Byzantium: State and Society. In Memory of Nikos Oikonomides* (Athens, 2003), 307–308.

[69] Published by I. Sakellion, Ἀθηναῖον, 1 (1872), 373–378 (Dölger, *Regesten*, 1757). The disputed authenticity of the letter has been defended by V. Grumel, "L'authenticité de la lettre de Jean Vatatzès, empereur de Nicée, au pape Grégoire IX," EO, 33 (1930), 450–458.

In his panegyric of his father John III Vatatzes, Laskaris compared the Nicaean ruler to Alexander the Great, the "emperor of the Hellenes," and then went on to describe the military fame of the Hellenes of his own day that impressed contemporary Germans and Italians.[70] In addition to Laskaris, Theodore Metochites in his second imperial oration (1292–93) referred to the Byzantines as Hellenes. Describing the military expeditions of Andronikos II in Asia Minor during the period 1280–82, Metochites praised the emperor for his efforts to save the Hellenes from barbarian onslaught. Further, he compared Andronikos II's campaigns against the Turks to the wars of the ancient Hellenes led by the Spartan king Agesilaus (ca. 445–359 B.C.) against the Persians.[71]

The evidence may be interpreted as indication of a shift in post-1204 official ideology toward Hellenic protonationalism.[72] This interpretation can be accepted only if one realizes the limitations of the new ideological tendency. For one thing, Hellenic ideas did not unseat or even threaten the dominant ideology, which stated that the Byzantine polity was the successor to the Roman empire. Second, and more importantly, the inclination toward Hellenism was characteristic of the works of a few literati and thus was a matter of personal conviction rather than being a generally accepted political ideology of the Nicaean state. The Nicaean patriarch Germanos II provides an example of a man with deeply held views. His tendency to identify ethnic with orthodox identity has already been noted. A sermon by Germanos II enables us to gain insight into his unique personal perspective. When ridiculed by Nicaean aristocrats of Constantinopolitan origin for his humble birth into a family of fishermen in the town of Anaplous on the Bosporus, Germanos II responded with a polemical church sermon in which he stressed the value of ethnic purity. According to him, birth in the fallen imperial capital, a nest of adulterous liaisons with Russian and Muslim servant girls, was not a sufficient reason for ennoblement. Hence those who "resembled mules on account of the mixture of different races" were ignoble by birth.[73] In other words, Hellenic origin was for Germanos II a greater value than the imperial and cosmopolitan associations of the fallen city of Constantinople, which had been a true multiethnic metropolis. References to Hellenism abound in the theological and literary works of

[70] Theodore II, *Encomio*, 69–70. [71] Metochites, Cod. Vindob. phil. gr., ff. 149 v.–150 r.

[72] See the definition of protonationalism by E. Hobsbawm, *Nations and Nationalism since 1780* (Cambridge, 1990), 46–79.

[73] S. Lagopates, *Γερμανὸς ὁ Β' πατριάρχης Κωνσταντινουπόλεως–Νικαίας (1222–40). Λόγοι, ὁμιλίαι καὶ ἐπιστολαί* (Tripolis, 1913), 283.34–36. The argument linking ethnic Hellenic purity and nobility is traceable to twelfth-century texts. See P. Magdalino, "Byzantine Snobbery," in M. Angold (ed.), *The Byzantine Aristocracy IX to XIII Centuries*, (Oxford, 1984), 65, n. 49.

Theodore II Laskaris – a man who like Germanos II was born in Anatolia and represents the experience of the Nicaean generation which had no living memories of the time when Constantinople had been in Byzantine hands. In his anti-Catholic polemics Laskaris spoke of the Latins as *Latinoi*, while he described the Orthodox as Hellenes – a complete reversal of the traditional meaning of Hellene as pagan. In his private correspondence Laskaris described as Hellenic the language, the land, and the people inhabiting the empire of Nicaea.[74] Theodore Metochites appears to have placed emphasis on Hellenic identity in his panegyric of Andronikos II because of his archaizing literary style and as a display of classical erudition. In his *Miscellanea* Metochites voiced pride in being a direct descendant of the ancient Hellenes in his language and learning.[75] Aside from the orations by Theodore II Laskaris and Theodore Metochites, all other imperial panegyrics of the thirteenth and fourteenth centuries referred to the Byzantine emperors as ruling over the Romans, not the Hellenes. The official ideology of *Romanitas* persisted into the Nicaean and Palaiologan periods, despite the fact that individual authors also referred, in realistic fashion one may add, to the predominantly Hellenic culture and language of the emperor's subjects.

Changes in imperial ideology

Several differences emerge between the official ideology of the Nicaean and the early Palaiologan state. The public image of the Nicaean rulers, in contrast to that of the Palaiologoi, projected relentless militarism and a conscious denial of aristocratic virtues. The recapture of Constantinople in 1261 aroused strong imperialistic claims of world domination and political universalism. Palaiologan propaganda tended to stress the supernatural and the miraculous in the imperial biography. Several virtues were attributed only to the highly extolled emperor Andronikos II, such as philanthropy, which dominated his rhetorical portrait.

Nicaean court rhetoric cultivated an ideology of militarism and reconquest – an ideology appropriate for the reality of a reconstituted Byzantine state deprived of its mother city and historic point of reference. The basis of this ideology was the continual significance of Constantinople, New Rome, as the capital of the Byzantine polity, now fallen into temporary captivity.

[74] Ch. Krikones, *Θεοδώρου Β' Λασκάρεως περὶ χριστιανικῆς θεολογίας λόγοι* (Thessaloniki, 1988), 137–48. *Theodori Ducae Lascaris Epistulae*, no. 40, 52 (people), no. 44, 58 (people), no. 118, 165 (land), no. 125, 176 (land), no. 216, 268 (language).

[75] Metochites, *Miscellanea*, ch. 93, 595.

The chief inspiration of this ideology lay not, however, in claims for political universalism and even less in Hellenic patriotism, but in Old Testament ideas of Jewish providential destiny. In this interpretation the Byzantines (the *Rhomaioi*) were God's Chosen People, who had lost their homeland to a foreign conqueror. The comparison of the Byzantines with God's Chosen People was by no means a novelty; Byzantine political rhetoric knew it since, at least, the tenth century.[76] Nicaean propaganda employed the simile for a special purpose, however: God's Chosen People, the Byzantines, were presented as having been exiled from their promised land, Constantinople, and as engaged in a war of reconquest. Accordingly, Nicaean court rhetoric compared the fall of Constantinople to the "Babylonian captivity" of the Jews and likened the Nicaean emperor to Zorobabel – the leader of the Jews in the book of Ezra who was chosen by God to rebuild the Temple and to prepare the return of his people to Jerusalem. Comparisons of the Nicaean emperors with Zorobabel are frequent (see Table 2). In his panegyrics Niketas Choniates prayed that Theodore I Laskaris would follow in the footsteps of Zorobabel and liberate the city from the Latin occupation. Jacob of Bulgaria presented John III Vatatzes as a ruler who, like Zorobabel, was leading his subjects back to their lost homeland. In his epitaph on Vatatzes, George Akropolites saw in the new Nicaean emperor, Theodore II Laskaris, the leader who was about to bring his people back to the promised land of Constantinople.[77] After the reconquest, Michael VIII was presented in panegyrics as the "New Zorobabel" who had succeeded in leading the Byzantines back to their New Jerusalem. Michael VIII himself, on learning of the news of the recapture of Constantinople, allegedly compared this event to the long-expected return to the promised land.[78] In the later thirteenth century, after the reconquest had been accomplished and had receded into the past, the image of the emperor as a New Zorobabel leading the Chosen People faded into oblivion. Gregory of Cyprus, who

[76] On the Byzantines as περιούσιος λαός, see H. Ahrweiler, *L'idéologie politique de l'Empire byzantin* (Paris, 1975), 51, n. 1; A. Kolia-Dermitsaki, *'Ο βυζαντινὸς "ἱερὸς πόλεμος"* (Athens, 1991), 331, n. 39.

[77] Choniates, *Orationes*, 147.6, 175.32–34; cf. ibid., 128.26 (Theodore I Laskaris' speech to his soldiers at the beginning of Lent, composed by Choniates); Jacob of Bulgaria, 83.32–84.2; Akropolites II, 28.17–18. See also *Synopsis Chronike*, MB, vol. 7, 467; S. Lagopates, *Γερμανὸς ὁ Β' πατριάρχης Κωνσταντινουπόλεως – Νικαίας*, 283.7–13. The image of the emperor as "a pillar of fire" that guides the Chosen People refers to Exodus 13:22. It was used by Choniates in one of the speeches he wrote for Theodore I Laskaris, who addressed his soldiers at the beginning of Lent. See Choniates, *Orationes*, 124.29.

[78] Holobolos, *Orationes*, 57.9, 83.21, 86.3–4; Previale, "Un panegirico inedito," 24.13; Pachymeres I.i, 209–213. The same idea is found also in the preamble to Michael VIII's chrysobull for the church of Saint Sophia issued in 1272. See Zepos, JGR, vol. 1, 659.

compared Andronikos II with Zorobabel, did not refer to the liberation of the city, but spoke instead of the emancipation of the church ("the heavenly Jerusalem") from the hated Union with the papacy.[79]

In articulating an ideology of reconquest, Nicaean court rhetoric sometimes glorified war as a holy activity and employed ideas outside the vocabulary of the Old Testament. In his panegyric of Theodore I Laskaris, Choniates praised the ruler for having ordered his troops to carry the sign of the cross during combat; furthermore, he presented the battle with the Seljuk sultan at Antioch-on-the-Meander in 1211 as a clash between Christianity and Islam, making a rhetorical comparison between Christ's wounds on the cross and those of Theodore, who singlehandedly killed the Muslim ruler.[80] Western crusading ideology seems to have inspired this emphasis on holy war in the aftermath of 1204. This hypothesis is substantiated by a case in the early Nicaean period of the adoption of crusader practices. Between 1208 and 1210 Patriarch Michael IV Autoreianos (1208–14) granted a full remission of sins to the Nicaean soldiers about to enter battle – a practice unknown in Byzantium before 1204 and identical with a plenary indulgence. The main inspiration behind this innovation was papal practices: Western mercenaries served in the army of Theodore I Laskaris at the time, and the patriarchal letter to the soldiers itself hints of the Latin enemies fighting for the salvation of their souls.[81] The criticism of indulgences in a Byzantine ecclesiastical polemic against the Latins composed shortly after 1204 did not prevent the Western importation.[82] However, the resistance against the Latin practice proved stronger in the end. The granting of indulgences to soldiers never succeeded in establishing itself in a lasting fashion in Nicaea, as it ran contrary to Byzantine ecclesiastical law and a traditional ideology of just war.[83] Traces of holy war ideology

[79] Gregory of Cyprus, PG, vol. 142, cols. 405D–408A.

[80] Choniates, *Orationes*, 172.19–173.8, 175.14–23. In 1296–1303 Nicholas Lampenos mentioned that the forefathers of Andronikos II had made the troops place the sign of the cross on their weapons. See Lampenos, *Encomium*, 36.13–25. The credit for this policy, however, appears to belong to Theodore I Laskaris.

[81] N. Oikonomides, "Cinq actes inédits du Patriarche Michel Autôreianos," REB, 25 (1967), 117–20, esp. 118.28–29, 119.71–74. On 7 December 1210 Pope Innocent III placed under excommunication those Latins who served as mercenaries in Laskaris' army. See *Acta Innocentii PP. III (1198–1216)*, ed. Th. Haluščynskyj (Vatican City, 1944), no. 173, 402–03. Cf. also Akropolites I, 27; G. Prinzing, "Der Brief Kaiser Heinrichs von Konstantinopel vom 13. Januar 1212," B, 43 (1973), 414–16, where the Latin mercenaries are mentioned again.

[82] J. Darrouzès, "Le mémoire de Constantine Stilbès contra les Latins," REB, 21 (1963), ch. 33, 69. On the date of this work, see ibid., 57.

[83] See Oikonomides' analysis, "Cinq actes inédits," 131–35; A. Laiou, "On Just War in Byzantium," in J. Langdon et al. (eds.), *To Hellenikon: Studies in Honor of Speros Vryonis*, vol. 1: *Jr. Hellenic Antiquity and Byzantium* (New Rochelle, 1993), 153–77; Kolia-Dermitsaki, *'Ο βυζαντινός "ἱερός πόλεμος"*.

disappear from Nicaean propaganda after 1211. Rather, it was ideas and images drawn from the Old Testament that consistently served to formulate an ideology of reconquest and to fit warfare into a providential divine plan. In a speech addressed to his troops in 1208 at the beginning of Lent and composed by Choniates, Theodore I Laskaris compared the soldiers to Jews of the Old Testament fighting a war to regain their lost homeland.[84] Ecclesiastics likened John III Vatatzes to the flaming sword of God – the sword which in the book of Genesis served to guard one's path to the tree of life.[85] Besides the Old Testament, the ideology of reconquest cultivated in Nicaean propagandist texts rested, too, on the traditional presentation of the emperor as a general and soldier – an image that was amplified to the utmost in court rhetoric. Choniates thus praised Theodore I Laskaris for having re-instilled a fighting spirit among the Byzantines after the loss of Constantinople. John III Vatatzes was said to have commanded military campaigns at night and to have entered the battlefield without defensive armor, with only a sword in his hands.[86]

The paramount ideological significance of warfare in Nicaea was not carried over into Palaiologan court rhetoric. The speeches addressed to Michael VIII after the reconquest of Constantinople in 1261 clearly show this trend. The military victories of Palaiologos mentioned in these speeches were the battle of Pelagonia (1259) and the recapture of Constantinople, with a heavy stress on its bloodless recovery.[87] In addition, there was an increased emphasis on diplomacy as an alternative to warfare. A panegyrist speaking sometime between 1272 and 1274 highlighted the emperor's use of intelligence, in addition to his bravery, in dealing with his enemies.[88] The explanation of this policy was thoroughly practical: "the one who fights with intelligence and wisdom is admired when victorious, but is not liable to laughter when losing."[89] The orations in praise of Andronikos II presented imperial military policy in an entirely defensive light. The orators

Cf. the review of scholarly opinions and further considerations on defining holy war by T. Kolbaba, "Fighting for Christianity: Holy War in the Byzantine Empire," B, 68 (1998), 194–221.

[84] Choniates, *Orationes*, 124, 128. On the date of this work, see J.-L. van Dieten, *Niketas Choniates, Erläuterungen zu den Reden und Briefen nebst einer Biographie* (Berlin/New York, 1971), 140–43.

[85] Genesis 3:24. On the image of the Nicaean emperor as a φλογίνη ῥομφαία, see Prinzing, "Die *Antigraphe* des Patriarchen Germanos II. an Erzbischof Demetrios Chomatenos," 35.41; J. Nicole, "Bref inédit de Germain II, patriarche de Constantinople (année 1230) avec une recension nouvelle du chrysobulle de l'empereur Jean Ducas Vatacès," *Revue des études grecques*, 7 (1894), 76.6. The same metaphor is attested in twelfth-century panegyrics by Eustathios of Thessaloniki and John Kamateros. See Regel and Novosadskii, *Fontes*, 53.5, 253.22–23.

[86] Choniates, *Orationes*, 133.11–31; Theodore II, *Encomio*, 66.504–506; Jacob of Bulgaria, 88.7 ff.

[87] Holobolos, *Orationes*, 70.

[88] Previale, "Un panegirico inedito," 35.10–14.

[89] Ibid., 35.22–23.

spoke of war, diplomacy, and military retrenchment as ways of keeping the enemy at bay, and the focus now was almost entirely on Asia Minor and the Turkish menace.[90] Gregory of Cyprus, Choumnos, Metochites, and Lampenos described as military triumphs the defensive campaigns in Asia Minor that Andronikos II had undertaken together with his father in the period between 1280 and 1282.[91] Gregory of Cyprus and Choumnos praised Andronikos II for his commitment to Asia Minor and for having won victories, despite the fact that the war in the West, that is, the invasion of the Balkans by the army of Charles of Anjou, necessitated the withdrawal of troops from the East.[92] The reconstruction of the ancient city of Tralles in the period 1280–82 received special attention. The Turks razed the newly fortified settlement to the ground soon thereafter, in 1283. Nonetheless in 1290 Metochites, following the earlier panegyric of Gregory of Cyprus, mentioned the rebuilding of Tralles as a great achievement and kept silence about its sorry fate.[93] Subsequent defensive campaigns against the Turks were also ideologically important. In his second imperial panegyric delivered in Nicaea in 1292 or 1293, Metochites praised Andronikos II for having secured the safety of the population of Bithynia by building new fortifications or repairing the old ones; the orator spoke of no military engagements.[94] Writing between 1296 and 1303, Lampenos referred to several wars of Andronikos II in Asia Minor, and exclaimed in the end that "now" the Turks "have recognized their master" and were bound by oaths to serve the emperor forever.[95]

The fading of the irredentist and militaristic ideology cultivated in Nicaea was an understandable consequence of the recapture of Constantinople. The restoration of the old capital in 1261 led, on its part, to an intensified emphasis on political universalism – a mirage maintained in imperial

[90] Only two of Andronikos II's political involvements in the West were mentioned. The first one is the defeat of the invading army of Charles of Anjou in 1281 and the Sicilian Vespers in 1282. In fact, Michael VIII was responsible for these achievements. See Choumnos, AG, vol. 2, 27–29, 31. The second one is the marriage alliance with the Serbs in 1299, subject of the anonymous oration in Vat. gr. 112.

[91] Gregory of Cyprus, PG, vol. 142, cols. 401A–405A; Choumnos, AG, vol. 2, 19–23, 29–30; Metochites, Cod. Vindob. phil. gr., ff. 87 r.–88 v.; Lampenos, *Encomium*, 43.24–47.3.

[92] Choumnos, AG, vol. 2, 29–30, mentions the war with the Latins and the withdrawal of troops from the East. Gregory of Cyprus, PG, vol. 142, col. 405AB, notes simply that Michael VIII recalled Andronikos from Asia Minor, but the latter then returned to the area and won military successes.

[93] Gregory of Cyprus, PG, vol. 142, col. 405AB; Metochites, Cod. Vindob. phil. gr. 95, ff. 87 v.–88 v. See A. Failler, "La restauration et la chute définitive de Tralles au 13e siècle," REB, 42 (1984), 249–63.

[94] This is the subject of the second imperial oration of Theodore Metochites. Lampenos, *Encomium*, 50.15–51.4, mentions the construction of fortifications in Bithynia, which corresponds to the activities of Andronikos II in 1290–1293 reported by Metochites.

[95] Lampenos, *Encomium*, 51.16–18: Νῦν δὲ δὴ τί; Ἐπέγνωσαν τὸν δεσπότην, προκυλινδοῦνται ποσίν, ὅρκοις ἐμπεδηθέντες ἐγκατελήφθησαν [εἰς] τὸν ἐς ἀεὶ χρόνον λατρεύειν.

propaganda despite the continuing territorial fragmentation and military weakness of the empire. Interestingly, the carrier of the ideology of ecumenicity under the first two Palaiologoi was no longer the emperor or the imperial office, but the city of New Rome. For Palaiologan court orators Constantinople was the natural center and capital of the world. In his second panegyric of Michael VIII, in a section of the speech where he described the City's recapture, Holobolos took a lengthy historical excursus on the glorious past of Constantinople – from the time of its founding by Byzas through the events of 1204 until its bloodless reconquest in 1261. The orator stated that history had known four world empires – the Assyrian, the Persian, the Macedonian, and the Roman – and Constantinople was the God-chosen cradle of the Roman empire. Thus Holobolos rearticulated the traditional interpretation that Byzantium was one of the four world empires in the book of Daniel. The theory of the four world empires had developed in patristic exegesis and had influenced numerous Byzantine authors (ecclesiastics and historians) in the period before 1204. Its appearance in a speech delivered after the Byzantine recapture of Constantinople in 1261 is therefore particularly significant.[96]

The panegyrists of the first two Palaiologoi commented on the ideological significance of Constantinople not only in the description of its recapture, but also in the context of the praise of the emperor's native city (*patris*) – a component absent from Nicaean court oratory. The first rhetorician in the thirteenth century who dealt with this subject, Gregory of Cyprus, apologized for introducing a novelty in imperial panegyric. He chose to praise not the real native city of Michael VIII, but that of his ancestors – Constantinople.[97] For Michael VIII was born at an unknown location in Asia Minor. In his panegyric of Andronikos II (also born in Anatolia), Gregory of Cyprus referred vaguely to the native city of the emperor as lying somewhere between Europe and Asia, and again lauded Constantinople as his ancestral birthplace. By contrast, Choumnos, Metochites, and Lampenos referred to Constantinople itself as Andronikos II's native city in disregard of the historical truth.[98] Accuracy, however, never

[96] Holobolos, *Orationes*, 56–63, especially 56.24–28 (reference to Daniel 2:36–45). On the early Christian and Byzantine interpretations of this passage in Daniel, see G. Podskalsky, *Byzantinische Reichseschatologie: Die Periodisierung der Weltgeschichte in den vier Grossreichen (Daniel 2 und 7) und dem tausendjährigen Friedensreiche (Apok. 20)* (Munich, 1972). The thirteenth-century *Synopsis Chronike*, MB, vol. 7, 14.16–27, also reports the view of Rome as the fourth world empire. Significantly, the *Synopsis Chronike* was composed after 1261.

[97] Gregory of Cyprus, PG, vol. 142, col. 349BC.

[98] Gregory of Cyprus, PG, vol. 142, cols. 389B–393A; Choumnos, AG, vol. 2, 9–10; Metochites, Cod. Vindob. phil. gr., f. 82 r.; Lampenos, *Encomium*, 31.34–35.35.

was the goal of the panegyrists. In his oration on Michael IX, Maximos Planoudes went so far as to argue rhetorically that the native land of the emperor was the old Rome on the Tiber river, since the New Rome was modeled after the old one.[99]

The tendentious view that Constantinople was the emperor's native city gave the panegyrists a free rein to indulge in excessive eulogies of the imperial capital. Constantinople's good weather and its role as a center of learning were, for example, subjects of praise.[100] Much more significant for political ideology are the comments about Constantinople's central and commanding position in the world. The rhetoricians used various expressions: "eye of the *oikoumene*,"[101] "acropolis of the *oikoumene*,"[102] "the most pleasant face of the *oikoumene*,"[103] and "head of the *oikoumene*."[104] Constantinople was described as the "point of beginning of Europe and Asia," or "the eye of Asia and the head of Europe."[105] No traveler could claim to have seen the entire world without having visited its natural center, Constantinople.[106] Thus the restoration of the city of Constantinople as Byzantine capital served to reinforce the rhetoric of imperial ecumenism, which had already undergone revival during the late Nicaean period. The role of Constantinople as bearer of universalist political ideology established itself in a lasting fashion in the public rhetoric of the Palaiologoi. In the early fifteenth century Isidore of Kiev commented in a panegyric that the emperor of Byzantium stood in the same relationship of superiority over the other rulers in the world as did the city of Constantinople surpass every other city on earth.[107]

It is truly remarkable how steadfastly Palaiologan court rhetoric and propaganda adhered to the notion of the universalist authority of the emperor in stark contradiction to the realities. Certainly, the gap between rhetoric and reality was immense, and this evident mismatch may have provoked the rising importance of Constantinople as an alternative carrier of ecumenical ideas. Yet the imperial office was still the main and only meaningful source of universalism and ecumenism. In a famous and often cited letter written between 1394 and 1397, the patriarch of Constantinople Antony IV, who was addressing the prince of Moscow Basil I, described the Byzantine

[99] Planoudes, "Basilikos," BSl, 28 (1967), 62. 538 ff.
[100] Gregory of Cyprus, PG, vol. 142, col. 358 BC; Lampenos, *Encomium*, 34.25–31.
[101] Gregory of Cyprus, PG, vol. 142, col. 376A. [102] Ibid., col. 404A.
[103] Holobolos, *Orationes*, 60.31–32. [104] Lampenos, *Encomium*, 32.28–29.
[105] Gregory of Cyprus, PG, vol. 142, col. 389C; Lampenos, *Encomium*, 31.34–36.
[106] Lampenos, *Encomium*, 33.27–30.
[107] S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3 (Athens, 1926), 136.33–137.3. Cf. J.-L. van Dieten, "Politische Ideologie und Niedergang im Byzanz der Palaiologen," *Zeitschrift für Historische Forschung*, 6 (1979), 6.

emperor as "the lord and master of the *oikoumene*"; the exalted status of the universalist Byzantine emperor was said to be above that of any foreign potentate, including the prince of Moscow. The point which Antony IV was trying to make was closely related to the immediate historical circumstances. The prince of Moscow had caused the omission of the name of the Byzantine emperor from commemoration in the church and had spoken disparagingly of Byzantine imperial authority. The Slavic prince needed to be rebuked and to be reminded about the hierarchy of rulers in the world, at the top of which stood the Byzantine emperor.[108] It is interesting to observe how readily the patriarch availed himself of the notion of imperial universalism when dealing with a church which was subject to the Orthodox patriarchate of Constantinople. The words of Antony IV should not be seen in isolation and as an idiosyncracy; rather, they echo closely the voice of Palaiologan court rhetoric. Even as Byzantium lost international clout and was surrounded by the Turks, official court circles still voiced the illusory notion of the empire as a world power and of the emperor as a great ruler whose authority extended beyond the boundaries of his realm.

An important difference between Nicaean and Palaiologan court rhetoric lies in attitudes toward the family of the emperor, toward imperial lineage, and toward the virtue of nobility (*eugeneia*). As Alexander Kazhdan has shown, the virtue of nobility entered for the first time the ideological repertoire of the Byzantine emperor during the Komnenian period. Blood nobility continued to be a feature regularly ascribed to the Angeloi emperors (1185–1204) and, after the fall of Constantinople, to the Epirote ruler Theodore Komnenos Doukas.[109] However, Nicaean court rhetoric treated ideological values associated with the imperial family in a markedly different way. For one thing, Nicaean panegyrists shunned praising the imperial family and thus warmly welcomed Menander's suggestion to omit the emperor's parentage whenever necessary. No mention of the parents of Theodore I Laskaris and John III Vatatzes was made, something which parallels the mysterious silence of other sources regarding the family origins

[108] MM, vol. 2, 190–92; the document is partially translated by E. Barker, *Social and Political Thought in Byzantium* (Oxford, 1957), 194–96. See D. Obolensky, *The Byzantine Commonwealth: Byzantium and Eastern Europe, 500–1453* (London, 1971), 264–65, 274–275; D. Nicol, "Byzantine Political Thought," in J. H. Burns (ed.), *The Cambridge History of Medieval Political Thought, c. 350–c. 1450* (Cambridge, 1988), 72–73.
[109] See, for instance, the imperial encomium on Isaac II Angelos by Michael Choniates, in *Μιχαὴλ Ἀκομινάτου τοῦ Χωνιάτου τὰ σωζόμενα*, ed. S. Lampros, vol. 1 (Athens, 1879), 212. The words εὐγενής, εὐγενέστατος, πανευγενέστατος, and μεγαλογενής were regularly used in Epirote political rhetoric and epistolography to refer to the Epirote ruler. See V. Vasil'evskii, "Epirotica saeculi XIII," VV, 3 (1896), 247.26, 264.20–21, 268.27, 271.25–26. Cf. Stavridou-Zafraka, *Νίκαια και Ἠπειρος τον 13° αιώνα. Ιδεολογική αντιπαράθεση*, 140 ff., 216.

of the two emperors. Only Jacob of Bulgaria did vaguely refer to the Vatatzes' famous ancestors, yet he declined to comment further on this issue.[110]

The abstract virtue of nobility figured in lauds of the first Nicaean emperor, Theodore I Laskaris, yet was fully absent from those of John III Vatatzes.[111] This peculiarity in Nicaean imperial propaganda gains even more significance when one observes that the panegyrists of Vatatzes praised other people for their nobility. In a private letter of gratitude to the Despot of Epiros, Michael II Komnenos Doukas (ca. 1231–67), and his wife Theodora, the future Saint Theodora of Arta, Nikephoros Blemmydes lauded the ruling couple for their nobility. Jacob of Bulgaria went to great lengths to praise the nobility and pedigree of the grand domestic Andronikos Palaiologos, Michael VIII's father.[112] Furthermore, the Nicaean orations praised the admirable lack of empowerment of the imperial family. Theodore I Laskaris and John III Vatatzes did not inherit the imperial office from their parents, and some of the rhetorical comments pertained to issues of succession. Nonetheless, these opinions are significant. Niketas Choniates wrote that the imperial office in Nicaea was no longer based on "succession within the imperial family" nor was it a "matter of gamble" – an allusion to the lottery on the eve of the conquest of Constantinople in April 1204 which had determined the imperial candidate. Rather, it had become an "award for courage and hard work."[113] Jacob of Bulgaria praised John III Vatatzes not only for not having gained the imperial office through the family, but also for not involving his family and friends in the exercise of power. "The emperor," Jacob wrote, "holds his power not, as one might think, through the favor of a marriage association or through the assistance of relatives and friends," but directly from God.[114]

Rhetorical comments dismissive of the political role of the imperial family went beyond issues of succession. In a personal letter addressed to Theodore I Laskaris, Michael Choniates (Niketas' brother), writing from his exile on the island of Keos, praised the first Nicaean emperor for not

[110] Jacob of Bulgaria, 83.8–13.

[111] Choniates, *Orationes*, 130.29–32, 132.24: τῇ εὐγενείᾳ πολύς. See the praises of Laskaris' family in the appeal by the clergy of Constantinople to the emperor to arrange the election of a new patriarch in 1208, in Heisenberg, *Neue Quellen*, II, 26.32–33. Cf. also the burial oration by an anonymous author on Empress Eirene Laskarina, Theodore I's daughter and wife of John III Vatatzes, in Akropolites II, 3.25: πατὴρ δὲ λαμπρὸς καὶ γένος καὶ τὴν τύχην. These statements ran contrary to reality, as Laskaris belonged to a family unknown in the twelfth century and made a career in the army before becoming an emperor. Contemporary historians are silent about his family origin.

[112] *Theodori Ducae Lascaris Epistulae*, Appendix III: *Nicephori Epistulae* 321.44–46. For Jacob of Bulgaria's rhetorical comments, see below n. 120.

[113] Choniates, *Orationes*, 131.4–7. [114] Jacob of Bulgaria, 85.9–12.

having a numerous and privileged family like that of the Komnenoi. While the Komnenoi "had once passed the kingdom from father to son and had possessed a big army, many relatives, and a huge treasury," Laskaris lacked all these resources, and yet he overshadowed the former imperial dynasty by his military victories.[115] The words of Michael Choniates mirror twelfth-century *Kaiserkritik* directed against the excessive power wielded by the Komnenian clan.[116] Now, however, categories of earlier critique were used in praise of the Nicaean ruler. A similar opinion is also found in Nikephoros Blemmydes' versified encomium (ca. 1237–39), where the author expressed his gratitude to John III Vatatzes for having turned a deaf ear to his detractor, Romanos. Blemmydes pointed out that the emperor's attitude toward his "relatives by nature" was an instructive example of imperial justice.[117]

The panegyrics of the Palaiologoi mark a revival of Komnenian imperial rhetoric, as the emperor's ancestors, immediate and more distant, and his family became subjects of praise. The encomiasts of Michael VIII and Andronikos II, unlike those of the Nicaean rulers, regularly included a laud of the parents of the emperor in the oration.[118] Andronikos II's opposition to the Union and the fact that Michael VIII did not receive a proper church burial due to his pro-Latin ecclesiastical policies did not matter for the rhetoricians. The virtue of the emperor's nobility, too, received renewed attention. Representatives of the Palaiologan clan had taken pride in aristocratic virtues even before usurping the imperial throne. The founder of the house, George Palaiologos, had been a leading general under Alexios I Komnenos (1081–1118) and had married a sister of Alexios's wife. His grandson, the *megas hetaireiarches* George Palaiologos (1125/26–1168/70), also a general, flaunted his noble lineage by depicting his imperial ancestors in the *pronaos* of a church of the Virgin founded by him at an unknown location.[119]

[115] Μιχαὴλ Ἀκομινάτου τοῦ Χωνιάτου τὰ σωζόμενα, ed. S. Lampros, vol. 2 (Athens, 1880), 354.

[116] P. Magdalino, "Aspects of Twelfth-Century Byzantine *Kaiserkritik*," *Speculum*, 58 (1983), 326–346 (repr. in P. Magdalino, *Tradition and Transformation in Medieval Byzantium* (London, 1991), Study VIII). R. Macrides, "From the Komnenoi to the Palaiologoi: Imperial Models in Decline and Exile," in P. Magdalino (ed.), *New Constantines: the Rhythm of Imperial Renewal in Byzantium, 4th–13th Centuries* (Aldershot, 1994), 280–82, has observed the contrasting image of the Komnenian and the Nicaean emperors in historiography.

[117] *Nicephori Blemmydae Curriculum Vitae et Carmina*, ed. A. Heisenberg (Leipzig, 1896), 103.105–104.110. It is possible that Blemmydes' detractor, Romanos, was a relative of John III Vatatzes. It is interesting that in the late fourteenth century George of Pelagonia praised Vatatzes for having despised those who were noble by birth. See A. Heisenberg, BZ, 14 (1905), 226.15–18.

[118] Holobolos, *Orationes*, 33.2–18; Gregory of Cyprus, PG, vol. 142, cols. 353AB, 393AB; Choumnos, AG, vol. 2, 5–8; Metochites, Cod. Vindob. phil. gr., f. 83 r.; Lampenos, *Encomium*, 36–37.

[119] S. Lampros, "Ὁ Μαρκιανὸς Κῶδιξ 524," *Νέος Ἑλληνομνήμων*, 8 (1911), 149.20–30. On the *megas hetaireiarches* George Palaiologos, see K. Varzos, *Ἡ Γενεαλογία τῶν Κομνηνῶν* (Thessaloniki,

In his burial oration on the grand domestic Andronikos Palaiologos, Jacob of Bulgaria praised excessively the nobility of the Palaiologoi. Like the Komnenoi and the Doukai, "the golden chain," that is, the ancestors of the Palaiologan family, was known at the four corners of the world; the fortunate family of the Palaiologoi was more prominent than the mythical Heraclids and Aiakids.[120] Andronikos was called a "noble offshoot" of Constantinople; he had "noble roots" and also possessed "nobility of the soul."[121] The imperial orations on the Palaiologoi continued to voice this aristocratic attitude; only now the nobility of the Palaiologoi became, in Metochites' words, an "imperial nobility" (*basilike eugeneia*).[122] The pedigree of the Palaiologoi was compared to a tree, of which the current emperor was a noble offshoot, or to the current of a river, in which the ancestors became ever more noble as one went upstream.[123] In his coronation panegyric of Michael IX Palaiologos, Maximos Planoudes reversed the logic of these rhetorical statements, yet he, too, continued to praise the nobility of the Palaiologoi. He wrote that Michael IX was more noble than his father, because he was a generation younger and thus his nobility rested on both his imperial father (Andronikos II) and his imperial grandfather (Michael VIII).[124] The glorification of the emperor's aristocratic virtues persisted into imperial orations of the later Palaiologan period. Thus the Kantakouzenos family was praised for its fame and nobility.[125] In the early fifteenth century the Palaiologoi were said to have originated from the Roman family of the

1984) vol. 2, 680–81 (genealogical table); O. Lampsides, "Beitrag zur Biographie des Georgios Palaiologos des Megas Hetäreiarches," B, 40 (1970), 393–407. Images of the following emperors, all ancestors or relatives of George Palaiologos, were depicted in the *pronaos* of a church of the Virgin: Constantine X Doukas (1059–67), Romanos IV Diogenes (1068–71), Michael VII Doukas (1071–78), Nikephoros III Botaneiates (1078–81), Alexios I Komnenos (1081–1118), John II Komnenos (1118–43), and Manuel I Komnenos (1143–80).

120 Jacob of Bulgaria, in S. Mercati, *Collectanea Byzantina*, vol. 1 (Bari, 1970), 70.30–31, 71.4–6. The Homeric expression "golden chain" (χρυσᾶ σειρά) was often used to refer to the pedigree of an aristocratic family. See, for example, Pachymeres I.i, 93.14–15.

121 Mercati, *Collectanea Byzantina*, 71.21, 77.31, 71.8.

122 Metochites, Cod. Vindob. phil. gr., f. 81 v. See also Metochites' comments in other works: his account of the embassy to the Serbian king Stephan Uroš II Milutin, MB, vol. 1, 180.7; the preface to his *Introduction to Astronomy*, in B. Bydén, *Theodore Metochites' Stoicheiosis Astronomike and the Study of Natural Philosophy and Mathematics in Early Palaiologan Byzantium* (Göteborg, 2003), 424.205–07. In a burial oration delivered in 1303 Metochites used the expression "imperial nobility" to refer to the late dowager empress Theodora Palaiologina, Michael VIII's wife and Andronikos II's mother. See A. Sideras, *Unedierte byzantinische Grabreden* (Thessaloniki, 1990), 254.26–27, 257.16–17.

123 Gregory of Cyprus, PG, vol. 142, col. 353A; Choumnos, AG, vol. 2, 7.

124 Planoudes, "Basilikos," BSl, 29 (1968), 42.1153–1165, esp. ll. 1159–1161.

125 G. Cammelli, "Demetrii Cydonii orationes tres, adhuc ineditae," BNJ, 4 (1923), 83.4–5; M. Jugie, "Nicolas Cabasilas, Panégyriques inédits de Mathieu Cantacuzène et d'Anne Paléologine," IRAIK, 15 (1911), 114.22–31.

Flavii and they were compared to mythical families, such as the Heraclids, the Pelopids, and the Kekropids.[126]

The glorification of the noble genealogy of the Palaiologoi had as its corollary the tendency of the orators to turn certain traditional imperial virtues into hereditary characteristics of the ruling family. Different speeches treated good fortune, piety, and military prowess as ancestral traits of the Palaiologoi.[127] The orator Nicholas Lampenos gave a long list of virtues that he considered to be characteristics of the power of the Palaiologan family: military leadership, office holding, dignities, troops, wealth, nobility, and fame – but most of all piety and the love of God.[128] Imperial orations under Michael VIII no longer emphasized the detachment of the emperor from his blood relatives. On the contrary, Manuel Holobolos praised in enthusiastic terms the prominent position given to people with an "imperial blood flowing in their veins" at the ceremony of Michael VIII's first entry into the newly reconquered city of Constantinople on 15 August 1261 and also at his subsequent coronation in Hagia Sophia. The relatives were the "noble crowd" which followed the emperor and preceded the senators during the ceremony.[129] Preambles to official documents of the Palaiologoi also set a high ideological importance on the role of kinship in the governance of the empire. Thus a chrysobull of Andronikos II granted to the Athonite monastery of Panteleimon in 1311 states that kinship with the emperor itself provokes imperial generosity.[130] A model preamble in a fourteenth-century chancery collection points out that the emperor is most generous to his relatives and *oikeioi* because they are the categories of subjects that are most beneficial to the emperor.[131] By contrast, the preamble which immediately

126 S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3 (Athens, 1926), 155 (Isidore of Kiev's speech in praise of Manuel II and John VIII); vol. 1 (Athens, 1912–1923), 224 (John Dokeianos' speech addressed to Constantine XI).

127 Gregory of Cyprus, PG, vol. 142, cols. 353A, 357C, 393A; Choumnos, AG, vol. 2, 5–6. Cf. Hunger, *Prooimion*, no. 14, 236.17–18.

128 Lampenos, *Encomium*, 36.4–7.

129 Holobolos, *Orationes*, 72.15–16. Holobolos did not specify whether the "noble crowd" consisted of members of the emperor's immediate family or aristocrats of imperial descent with whom the Palaiologan family was allied by marriage. Pachymeres I.i, 217.1–10, mentions simply that the emperor was followed by his immediate relatives and the senate. A *prostagma* of Michael VIII issued early in his reign also shows the high value attached to kinship with the emperor. See L. Burgmann and P. Magdalino, "Michael VIII on Maladministration," *Fontes Minores*, vol. 6 (1984), 380.24–28.

130 Panteleimon, no. 10, 95.11 (Dölger, *Regesten*, 2333). The preamble comments on the fact that the Serbian king Stephan Uroš II Milutin, at whose request the chrysobull was issued, was related by marriage to the Palaiologoi.

131 Hunger, *Prooimion*, no. 17, 240–241, esp. 240.13–14: ὅσῳ δὲ τῆς ἐξ αὐτῶν ὑπηρεσίας καὶ θεραπείας συνεχεστέρας τε καὶ σπουδαιοτέρας τὸ βασίλειον κράτος μεταλαγχάνει.

follows this one in the chancery collection and describes the emperor's generosity to senators, that is, the holders of high-ranking court titles, does not refer to the service they provided to the ruler, but vaguely speaks of their wisdom.[132]

A component in the propagandist biographies of the Palaiologoi that was absent from Nicaean court oratory was its emphasis on miracles and divine predestination. According to Menander, the imperial panegyrist was to associate the birth of the emperor with prophecies, divine omens, or miraculous events. The motif of a prophecy given to a future emperor concerning his rise to power was well known in Byzantine literary and rhetorical tradition.[133] Manuel Holobolos, the first rhetorician in the thirteenth century who mentioned prophecies, noted that events surrounding the emperor's birth ought to form part of an imperial encomium.[134] Following this rhetorical strategy, Holobolos and Gregory of Cyprus wrote that oracles had once predicted the bright imperial future of the young Michael Palaiologos.[135] The panegyrists did not mention the content of these oracles, although the history of George Pachymeres helps to fill the void. According to a story reported by Pachymeres and doubtless propagated by pro-Palaiologan circles, the metropolitan of Dyrrachion Chalkoutzes had miraculously received a divine prophecy. Having abandoned his see after its conquest in 1257 by the armies of Manfred, the king of Sicily, Chalkoutzes observed a night vigil at the monastery of Akapniou in Thessaloniki, and heard a voice which gave a veiled prophecy about the imminent imperial proclamation of Palaiologos.[136] The rhetoric of the miraculous was thus called upon to legitimize the rise to power of the usurper.

The panegyrists of Andronikos II paid attention to the miracles surrounding the birth of the emperor. According to Metochites, the chief divine omen at that time was "the betterment of the affairs of your father and all the Romans." The concrete events mentioned by other rhetoricians were the imperial proclamation of Michael VIII (1 January 1259), his coronation shortly afterward, the victory at Pelagonia (autumn 1259) and,

[132] Ibid., no. 18, 242.

[133] This motif was elaborated in the context of the usurpation of Emperor Basil I, the founder of the Macedonian dynasty. See G. Moravcsik, "Sagen und Legenden über Kaiser Basileios," DOP, 15 (1961), 59–126.

[134] Holobolos, *Orationes*, 32.19–21.

[135] Holobolos, *Orationes*, 33.19 ff.; Previale, "Un panegirico inedito," 21.12–13; Gregory of Cyprus, PG, vol. 142, col. 357A.

[136] Pachymeres I.i, 47–49: a divine voice appeared three times pronouncing the word ΜΑΡΠΟΥ, which was interpreted to be an acrostic for "Michael Palaiologos, ruler of the Romans, will soon be glorified."

naturally, the recapture of Constantinople.[137] In addition, the rhetoricians saw an omen in the fact that Andronikos II and Michael IX were born on major feast days, the Annunciation of the Virgin and Easter, respectively.[138] Lampenos is the only orator to refer to a miraculous event at the baptism of the baby Andronikos, who instead of crying had smiled at the baptismal font. The genres of imperial panegyric and saint's life met in the speech by Lampenos; further on, Lampenos described how the emperor would be sanctified after his death and churches would be built in his honor. One may consider his speech to be a response directed against the popular veneration of some of the Laskarid emperors as saints.[139] Another propagandist image attested solely under the Palaiologoi was that God had predestined the emperor for imperial power. From the imperial orations of Manuel Holobolos delivered in the 1260s until that of Matthew of Ephesos written in 1326, the panegyrists of the Palaiologoi made this claim with remarkable consistency.[140]

Some imperial virtues appear only in imperial orations addressed to Andronikos II, the most highly praised emperor in the period.[141] Wisdom, intelligence, and sharpness of the mind were characteristics commonly ascribed to the enlightened emperor. In about 1267 Holobolos, introducing the child Andronikos as co-emperor, praised him for his wisdom, which became a rhetorical cliché throughout his reign.[142] Another important imperial virtue, used more than thirty times in the panegyrics of Andronikos II, is philanthropy.[143] By contrast, encomia addressed to earlier

[137] Metochites, Cod. Vindob. phil. gr., f. 83 v.; Gregory of Cyprus, PG, vol. 142, col. 396B; Choumnos, AG, vol. 2, 9–12; Lampenos, *Encomium*, 39.21–40.12.

[138] Choumnos, AG, vol. 2, 12–13; Lampenos, *Encomium*, 39.19–21; S. Kourouses, Ἀθηνᾶ, 73–74 (1972–73), 432.20–22.

[139] Lampenos, *Encomium*, 41, 81. On the veneration of John III Vatatzes as a saint, see below chapter 8, pp. 267–68.

[140] Holobolos, *Orationes*, 63.34–64.1; Gregory of Cyprus, PG, vol. 142, col. 376C; Lampenos, *Encomium*, 38.28 ff.; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 59 r. The same idea was repeated by authors close to the imperial court. Cf., for example, one of the letters of patriarch Athanasios, *Correspondence of Athanasius*, 1.

[141] On the rhetorical portrait of Andronikos II, see N. Radošević, "Pohvalna slova caru Androniku II Paleologu," ZRVI, 21 (1982), 61–83.

[142] Holobolos, *Orationes*, 77.22–23. Andronikos would then have been about seven years old if this oration was given in 1266. For other references to the wisdom, piety, and intelligence of the child Andronikos II, see Gregory of Cyprus, PG, vol. 142, col. 413AB; Choumnos, AG, vol. 2, 34–35; Planoudes, "Basilikos," BSl, 29 (1968), 37.901; Lampenos, *Encomium*, 67.12–14; Gregoras, B, 41 (1971), 513.96 ff.

[143] Gregory of Cyprus, PG, vol. 142, cols. 400C, 409D; Choumnos, AG, vol. 2, 3, 5, 16, 19, 44–49; Planoudes, "Basilikos," BSl, 29 (1968), 37.911–39.1005, 40.1052–1065; Metochites, Vindob. phil. gr., ff. 81 v., 87 r., 89 v., 94 v., 95 v., 96 r., 96 v., 157 r., 157 v.; Lampenos, *Encomium*, 28.16, 49.36, 53.1, 61.12, 64.15, 67.30 (the philanthropic conversion of *pronoia* into hereditary property), 68.38–69.12,

emperors of the thirteenth century rarely mention philanthropy. The interest of court rhetoricians in philanthropy during the reign of Andronikos II influenced even the content of rhetorical guidebooks: a fourteenth-century rhetorical manuscript features an addition to Menander's rules that highlights the importance of philanthropy as an imperial virtue.[144] The panegyric by Matthew of Ephesos – written close to the end of Andronikos II's reign – is specially devoted to the theme of the innate philanthropy of the emperor.

Philanthropy presents interest for our study not only as a virtue commonly ascribed to Andronikos II, but also as a virtue which played a significant role in rhetorical descriptions of the operation of imperial government. As a concept, philanthropy has a long history in classical and Byzantine political and social thought. Coined in the classical period, philanthropy referred at first to the benevolent attitude of the gods to men as well as to the love of men for each other. Later on it became a part of the ethical vocabulary of stoicism and hence entered Christian writings.[145] In the Old Testament philanthropy appears as a royal virtue associated with the Maccabees, and in the New Testament Saint Paul describes Christ's attitude to humanity as a philanthropic one.[146] The Church used the concept of philanthropy to describe the ideal of mutual love and understanding, and referred to its social support network as philanthropic.[147] In his rhetorical handbook Menander considered philanthropy as an integral part of justice; he advised panegyrists to praise as philanthropic the emperor's mercy toward enemies and beneficent attitude toward petitioners. The late antique orator Themistius regarded philanthropy as the most

71.11, 71.16–17, 76.12–13 (the emperor saves Scythians, Italians, Persians, Ethiopians, and Egyptians by his philanthropy), 80.35; Anonymous of Vat. gr. 112 in Kourouses, "Galesiotes," 364.33, 366.79; Matthew of Ephesos, Cod. Vindob. theol. gr. 174, ff. 59 r., 59 v., 60 v., 61 r., 61 v., 62 r., 64 r., 65 r.; Gregoras, Bibl. Nat., Cod. gr. 3040, f. 29 r. The tendency of the panegyrists of Andronikos II to laud his philanthropy has been noted by H. Hunger, "Zur Humanität Kaiser Andronikos II.," ZRVI, 8 (1963), 149–52.

144 V. De Falco, "Trattato retorico bizantino (Rhetorica Marciana)," *Atti della società ligustica di scienze e lettere*, n.s., 9, fasc. 2 (1930), 102–13, has collated the text of Menander's guidelines of the imperial oration in the *Rhetorica Marciana* and *Rhetorica Monacensis* with that of Joseph the Philosopher in his *Summation of Rhetoric*. See ibid., 108, for the additional phrase in the *Rhetorica Monacensis*, προσθήσεις καὶ περὶ μὲν φιλανθρωπίας.

145 See H. Hunger, "Philanthropia. Eine griechische Wortprägung auf ihrem Wege von Aischylos bis Theodoros Metochites," *Anzeiger phil.-hist. Klasse. Österreichische Akademie der Wissenschaften*, 100 (1962), 1–20 (repr. in H. Hunger, *Byzantinische Grundlagenforschung* (London, 1973), Study XIII); G. Downey, "*Philanthropia* in Religion and Statecraft in the Fourth Century after Christ," *Historia*, 4 (1955), 199–209.

146 I Maccabees 4:11; III Maccabees 3:15, 3.18, Paul, Titus 3:4.

147 D. Constantelos, *Byzantine Philanthropy and Social Welfare*, 2nd edn (New York, 1991), 25–42.

important imperial virtue and in the same vein as Menander defined its meaning in his speeches as a quality that combined clemency, mildness, and justice.[148]

The interest in "philosophical" oratory within the circle of Gregory of Cyprus appears to have played a role in directing the attention of rhetoricians toward the virtue of philanthropy. Themistius was considered to be an example of the practice of philosophical oratory, and his influence on formulating the meaning of philanthropy is apparent in the late thirteenth century.[149] In his imperial oration delivered early in Andronikos II's reign, Gregory of Cyprus praised the emperor's philanthropic practice of pardoning convicts and mentioned that this emperor showed greater mercy to convicts than did their own relatives. The encomiasts of Andronikos II, following the example of Gregory of Cyprus, emphasized the emperor's philanthropic leniency. Choumnos, Metochites, Planoudes, and Lampenos all described Andronikos II as a philanthropic emperor who had ceased to implement the laws on mutilation. The orators repeatedly mentioned the same admirable thought as the reason why the emperor refrained from punishing people by mutilation: Andronikos did not want to take away from the subjects anything which he could not return.[150] Other acts of philanthropy, according to the orators, were the release of prisoners and the termination of the Union with the papacy. Lampenos went so far as to point out that Andronikos II had conquered foreign nations by his philanthropy – an old ideological postulate traceable to Themistius' orations.[151] The orator Maximos Planoudes made the most forceful statement about the value of philanthropy. According to Planoudes, Andronikos II had founded a new type of kingship, a "philanthropic kingship." In this model of rulership the emperor refrained from punishing anyone and this encouraged both weak and strong members of society to avoid conflict and judicial

148 *Menander Rhetor*, 88 (374.28–31 and 375.9–10). Philanthropy is the principal theme of the first, the sixth and the nineteenth oration of Themistius. See L. Daly, "Themistius' Concept of *Philanthropia*," B, 45 (1975), 22–40.

149 On the influence of Themistius on ideas on philanthropy, see further, n. 151 and especially the discussion in chapter 4, pp. 142–43.

150 Choumnos, AG, vol. 2, 47; Metochites, Cod. Vindob. phil. gr., f. 95 v.; Lampenos, *Encomium*, 64.10–14.

151 Lampenos, *Encomium*, 76.12–17. See also Anonymous of Vat. gr. 112 in Kourouses, "Galesiotes," 364.32–33 and chapter 5, n. 68. The idea that the emperor saves the barbarians through philanthropy derives from Themistius' tenth oration (Or. 10, 131d and 133a–b) addressed to the emperor Valens. See L. Daly, "The Mandarin and the Barbarian: The Response of Themistius to the Gothic Challenge," *Historia*, 21 (1972), 351–79; G. Dagron, "L'empire romain d'Orient au IVème siècle et les traditions politiques de l'hellénisme, le témoignage de Thémistios," TM, 3 (1968), 95–112.

litigation against each other.[152] As we shall see in chapter 4, orators at the court of Andronikos II discussed justice and privilege through the ideological vocabulary of philanthropy and employed ideas about philanthropy derived from Themistius. There we shall explore the practical implications of the extraordinary emphasis on the virtue of philanthropy.

The traditional tenets of Byzantine imperial ideology became the hallmarks of the official ideology of the Byzantine state after 1204. The emperor was a divinely ordained ruler – an emperor of the Romans – who possessed imperial virtues whose history stretches back to the period of late antiquity and beyond. This continuity in ideology is a prominent sign of the political and cultural continuity between the late Byzantine state and the empire of previous centuries. It is important to observe that the use of old models of Byzantine court rhetoric was in part responsible for the traditional image projected by imperial authority. The ideological continuity is remarkable when seen against the background of the political conditions in the empire after 1204.

There were a few, although significant, shifts over time in late Byzantine imperial ideology. Nicaean imperial propaganda retained the militaristic image of the emperor of the eleventh and twelfth centuries, yet it enriched and enhanced that image to project a militaristic ideology of reconquest. The influence of Western ideas of holy war on imperial ideology in the years immediately after 1204 died out very soon. The militaristic ideology of reconquest cultivated in Nicaea rested on Old Testament ideas as well as on conceptions and ceremonies that were part of Byzantine cultural tradition. The restoration of Constantinople in 1261 as the imperial capital gave rise to powerful ideological claims of ecumenism and world dominance, a rather illusory idea in the political realities of the time. Yet the main carrier of the ideology of Byzantium as a world power was now not the emperor, but the city of Constantinople, New Rome, which was presented as the center and capital of the *oikoumene*.

The imperial ideology of the Palaiologoi mirrors that of the Komnenoi in the weight placed on aristocratic values such as nobility and lineage. By contrast, the Nicaean emperors, and especially John III Vatatzes, projected an image in which aristocratic virtues associated with the family were no longer a part of official ideology. This is a novel ideological development in comparison with the tendencies of the eleventh and twelfth centuries.

[152] Planoudes, "Basilikos," BSl, 29 (1968), 39.1015–40.1031, esp. 40.1024–1025: δοκεῖ γάρ πως ὡς ἐν περιωπῇ τῆς φιλανθρώπου βασιλείας ἱστάμενος.

This temporary departure from the Komnenian imperial ideal marks a conservative look back into Byzantine history before the eleventh century, especially the period of the Macedonian dynasty, when the imperial office and the aristocracy had not yet become ideological and political allies. The temporary revival of an old ideal in the Nicaean period did not succeed in establishing itself and gave way to an image of aristocratic rulership which the Palaiologoi projected from 1261 until the very end of the existence of the empire.

CHAPTER 3

Rhetorical theories of succession

There is nothing new in finding that the emperor is similar to David in every respect.[1]

Niketas Choniates, oration in praise of the emperor Isaac II Angelos, 6 January 1190

Establishing the legitimacy of the emperor's accession to the throne was a crucial element in laudatory biographies of the ruler presented in panegyrics. In Byzantium there never were laws of imperial succession. Nor were there universally accepted rules for succession – a reason for ceaseless plots and rebellions whose purpose was to put a new emperor on the throne. The great German historian Theodor Mommsen (1817–1903) has justifiably called this state of affairs in the Roman empire (and hence in Byzantium) an "autocracy tempered by the legally recognized and permanent right of revolution."[2] In the absence of laws and legalistic theory on the subject of succession, court rhetoric provides a unique insight into ideas about this central constitutional issue. After all, Byzantine court rhetoricians always took care to present as legitimate the rise to power of the current emperor, despite the violence with which it was often accompanied. This chapter studies the rhetorical arguments that the orators used to back up their opinions as to the legitimacy of succession. Before we proceed with the analysis of the rhetorical texts, however, we shall provide context for the discussion by taking a brief look at political events of the period.

THE EMPEROR AND THE USURPER: PATTERNS OF SUCCESSION AND REBELLION

The absence of laws of succession notwithstanding, ruling families tended to establish themselves as dynasties in Byzantium. The Macedonian dynasty,

[1] Choniates, *Orationes*, 98.26–27.

[2] Th. Mommsen, *Römisches Staatsrecht*, vol. 1,2 (Leipzig, 1887), 1077. Cf. J. Bury, *The Constitution of the Later Roman Empire* (Cambridge, 1910), 9.

which governed the empire over the course of nearly two hundred years (867–1056), became extinct during the eleventh century. At that time, dynastic problems and rivalries among the aristocracy made attempts at usurpation a very frequent phenomenon. Jean-Claude Cheynet has counted more than a hundred rebellions in the eleventh century – rebellions whose purpose very often was to depose the ruling emperor and place a usurper on the throne.[3] The establishment of the Komnenian dynasty (1081–1180) brought much-needed stability to the imperial office. The Komnenoi took pains to establish the principle of direct succession, but failed in this effort. Manuel I's son, Alexios II Komnenos (1180–83), was overthrown and murdered in a rebellion. Numerous challenges to the imperial office marked the political history of Byzantium in the last twenty years before the Latin conquest of Constantinople. For the first time these challenges involved strong centrifugal and localist tendencies of the Byzantine aristocracy.[4]

The Laskaris family, which occupied the imperial throne of Nicaea, made an effort to establish a dynasty – the Laskarids. In 1208–10 Theodore I Laskaris made all his subjects take an oath of loyalty to his son Nicholas Laskaris, the heir-presumptive. However, Nicholas and his younger brother, John, predeceased their father.[5] Then, for an unknown reason, Theodore I passed over the rights of his son by an Armenian wife and instead chose as heir his son-in-law, the *protovestiarites* John Vatatzes.[6] Vatatzes had only one child, Theodore II Laskaris, whom he never crowned co-emperor. Yet he permitted him to issue documents in the official capacity of an emperor at least as early as 1242.[7] Shortly before his death Theodore II Laskaris required

[3] J.-C. Cheynet, *Pouvoir et contestations à Byzance (963–1210)* (Paris, 1990), 35–100.

[4] Ibid., 100–45, 427–58. In the years 1100–80 there were twenty plots and rebellions. By contrast, the period 1180–1204 saw more than fifty plots and rebellions. Cf. N. Oikonomides, "La décomposition de l'empire byzantin à la veille de 1204 et les origines de l'empire de Nicée: à propos de la 'Partitio Romaniae'," *XVe Congrès d'Études Byzantines. Rapports et co-rapports*, vol. 1 (Athens, 1976), 1–28.

[5] See N. Oikonomides, "Cinq actes inédits du Patriarche Michel Autôreianos," REB, 25 (1967), 122–24, 136–44.

[6] Akropolites I, 31; *Synopsis Chronike*, MB, vol. 7, 465–66.

[7] The sources contain contradictory information as to whether Theodore II Laskaris was proclaimed co-emperor before his father's death in November 1254. According to Pachymeres and Gregoras, Vatatzes never permitted Theodore II Laskaris to become co-emperor. See Pachymeres I.i, 61; Gregoras I, 53. Gregoras' remark may be explained away by the historians's critical agenda (quite evident in the same passage) of condemning the Palaiologan practice of proclaiming co-emperors. In the passage in question Pachymeres also presented Theodore II as a foil. See chapter 8, pp. 281–82, for our discussion of Gregoras' *Kaiserkritik*. Greater evidentiary weight should be given to contemporary Nicaean sources. As F. Dölger has noted, in a *prostagma* dating to the period 1241–48 Theodore II speaks of himself as an emperor. See *Theodori Ducae Lascaris Epistulae*, no. 107, 147–149, esp. 148.16: βασιλέων υἱοὶ ἐσμέν τε καὶ βασιλεῖς. Cf. Dölger, *Regesten*, 1823. In 1252–53 Jacob of Bulgaria (91.15) spoke of Theodore II as a proclaimed emperor. According to P. Zhavoronkov ("Izbranie i koronatsiia Nikeiskikh imperatorov," VV, 49 (1988), 55–59), Theodore II was proclaimed emperor twice, before 1254 and again in November 1254, upon Vatatzes' death.

his subjects to take an oath that they would accept his underage son John IV Laskaris as his legitimate successor. After Michael VIII's usurpation, the Palaiologoi regularly had their sons and even their grandsons proclaimed co-emperors. Michael VIII arranged to have his son, Andronikos II, proclaimed as co-emperor sometime between 1261 and 1265. In 1272 Andronikos II was also crowned co-emperor. In 1281, during Michael VIII's lifetime, his grandson, Michael IX, was proclaimed a third co-emperor, and on 21 May 1294 he was crowned co-emperor.[8]

The efforts of the Laskarids and the Palaiologoi to establish dynasties ran into resistance, however. Table 3 presents a survey of attempts at usurpation and suspected plots in the period 1204–1330. Most of these challenges rested on rival dynastic claims to the throne. For example, in 1224 two brothers of the ex-emperor Theodore I Laskaris, the *sebastokratores* Alexios and Isaac Laskaris, defied the authority of the ruling emperor, John III Vatatzes. They defected to the Latin empire of Constantinople and in 1224 invaded Nicaea with the help of Latin forces, but were defeated at the battle of Poimamenon and were blinded. The plots to reinstall the ex-child-emperor John IV Laskaris in the second half of the thirteenth century and the conspiracy of John Drimys in 1305 aimed to restore the Nicaean dynasty on the throne. In addition to attempts to set up a former emperor, or a close relative of that emperor, on the throne, a usurper could claim dynastic entitlement to the throne in a different way. Because of marriage strategies among the high aristocracy during the twelfth century, many powerful Byzantine families after 1204 were related to the clan of the Komnenoi Doukai and were descendants of the first Komnenian emperor, Alexios I (1081–1118). All thirteenth-century emperors after 1204 were offshoots of the Komnenoi Doukai. The Laskaris family, whose history during the twelfth century is unknown, appears to have intermarried with the Komnenoi.[9] John III Vatatzes was a great-great-grandson or a great-great-great-grandson of Alexios I Komnenos.[10] Theodore Komnenos Doukas

[8] On these dates see F. Dölger, "Die dynastische Familienpolitik des Kaisers Michael VIII. Palaiologos (1258–82)," *PARASPORA* (Ettal, 1961), 178–88. On the basis of Holobolos' panegyrics Dölger thought that Andronikos II was proclaimed co-emperor in 1261. However R. Macrides, "The New Constantine and the New Constantinople – 1261?," BMGS, 6 (1980), 37, has convincingly shown that Andronikos II could have been proclaimed any time between 1261 and 1265. Cf. A. Failler, "La proclamation impériale de Michel VIII et d'Andronic II," REB, 44 (1986), 243–47.

[9] See Cheynet, *Pouvoir et contestations*, 443–44. Theodore I's official name was Theodore Komnenos Laskaris. See, for example, Heisenberg, *Neue Quellen*, II, 25; N. Oikonomides, "Cinq actes inédits du Patriarche Michel Autôreianos," REB, 25 (1967), 123.

[10] Contemporary sources keep the identity of John III Vatatzes' parents a mystery. According to D. Polemis (*The Doukai* (London, 1968), 106–07), John III Vatatzes was the son of the domestic of the

(1215–30), the emperor of Epiros-Thessaloniki, was a great-grandson of Alexios I. Epirote ecclesiastics used Theodore's pedigree to argue that he, rather than John III Vatatzes, was the legitimate successor of the Byzantine imperial tradition after 1204.[11]

Michael VIII Palaiologos, too, had impeccable genealogical credentials leading back to the Komnenoi. His parents united two separate branches of the Palaiologan family. For this reason some people called him "a double Palaiologos."[12] The emperor Alexios III Angelos (1195–1203) was his great-grandfather, and this family relationship made him a great-great-great-great-grandson of Emperor Alexios I.[13] In addition, Alexios III Angelos had made Michael Palaiologos' grandfather, Despot Alexios Palaiologos, heir to the throne and had given him his eldest daughter in marriage.[14] Seen in retrospect, only the untimely death of Despot Alexios Palaiologos shortly before 1204 had prevented the establishment of the house of the Palaiologoi. After 1204, Theodore I Laskaris selected another representative of the family, a certain Despot Constantine Palaiologos, to be the husband of his daughter, Eirene. Again, a premature death of the Despot deprived

East Basil Vatatzes and was thus a great-great-grandson of Alexios I Komnenos. See the hypothetical family tree drawn by K. Varzos, Ἡ Γενεαλογία τῶν Κομνηνῶν, vol. 2 (Thessaloniki, 1984), 576–77, n. 75. According to K. Amantos ("Ἡ οἰκογένεια Βατάτζη," EEBS, 21 (1951), 174–78), John III Vatatzes was the grandson of the grand domestic John Komnenos Vatatzes and was thus a great-great-great-grandson of Alexios I Komnenos. In either case, the relationship to the Komnenian emperor was a distant one.

[11] Demetrios Chomatenos wrote in a polemical letter addressed to the Nicaean patriarch Germanos II that Theodore Komnenos Doukas was entitled to the office of emperor by virtue of being the great-grandson of Alexios I Komnenos. See Chomatenos, ed. Prinzing, no. 114, 375.146–55. A similar argument was also made in official documents issued by the synod of the Epirote church. See V. Vasil'evskii, "Epirotica saeculi XIII," VV 3 (1896), 233–99, no. 24, 286.4 (synodical act for Theodore Komnenos Doukas' imperial coronation), no. 26, 292 (*pittakion* addressed to Germanos II by the Epirote bishops drafted by the metropolitan of Naupaktos John Apokaukos).

[12] Gregoras I, 69.

[13] On the genealogy of the Angelos family in the twelfth century, see G. Ostrogorsky, "Vozvyshenie roda Angelov," *Iubileinyi sbornik Russkago Arkheologicheskago Obshchestva v Korolevste Iugoslavii* (Belgrade, 1936), 111–29, esp. 129 (table).

[14] On the genealogy of the Palaiologoi during the twelfth and thirteenth centuries see V. Laurent, "La généalogie des premiers Paléologues," B, 8 (1933), 125–49. Cf. G. Ostrogorsky, "Urum-Despotes. Die Anfänge der Despoteswürde in Byzanz," BZ, 44 (1951), 458–59. The following table presents a summary genealogy of Michael VIII's family origins.

grand *hetaireiarches* George Palaiologos | Emperor Alexios III Angelos
Alexios Palaiologos = Eirene Komnene | Despot Alexios Palaiologos = Eirene Angelina
grand domestic Andronikos Palaiologos = Theodora Palaiologina
Emperor Michael VIII Palaiologos

Table 3. *Attempted usurpations in Nicaea and under the early Palaiologoi*

Conspirator	Year/source	Purpose
Alexios III Angelos, former emperor (1195–1203)	1211 (Akropolites I, 14–17)	Claimed the imperial throne with the help of the Seljuks, but was defeated and captured at the battle of Antioch-on-the-Meander; was imprisoned in the monastery of Hyakinthos in Nicaea
sebastokratores Alexios and Isaac Laskaris, brothers of Theodore I Laskaris	1224 (Akropolites I, 34–35)	Invaded Nicaea with the help of the Latins of Constantinople, apparently with the purpose of deposing John III Vatatzes
The brothers Andronikos and Isaac Nestongos (cousins of John III Vatatzes); co-conspirators were the grand *hetaireiarches* Phlamoules, Tarchaneiotes, Synadenos, Stasenos, and Makrenos	ca. 1224 (Akropolites I, 36–38)	Conspired to proclaim Andronikos Nestongos emperor. Nestongos was imprisoned, but later escaped and emigrated to the Seljuk court
Pseudo-John Laskaris	1262 (Pachymeres I.i, 259–67)	Rebelled with the support of the villagers of Trikokkia and Zygos in Bithynia; failed and fled to the Turks
Makrenos, *parakoimomenos*	ca. 1264 (Pachymeres I.i, 275–76)	Suspected of planning a usurpation through a marriage alliance with the house of Laskaris; was arrested and blinded
Frangopoulos, *oikeios* of Michael VIII, and twelve other conspirators	1265 (Pachymeres I.ii, 371)	Goal unknown, but planned to murder Michael VIII; Patriarch Arsenios was accused of supporting the conspiracy
Pseudo-John Laskaris	1273 (D. Geanakoplos, *Michael VIII*, 217, with reference to sources)	Pretended to be the last Laskarid emperor, emigrated to the West, and sought the support of Charles of Anjou; his fate is unknown
George Komnenos (1266–80), emperor of Trebizond and anti-unionist faction in Constantinople	ca. 1278 (R.-J. Loenertz, "Mémoire d'Ogier, protonotaire, pour Marco et Marchetto nonces de Michel VIII Paléologue auprès du pape Nicolas III, 1278, printemps–été," OCP, 31 [1965], 391)	An anti-unionist faction in Constantinople invited the ruler of Trebizond to assume the imperial office and solicited the support of Latins resident in Constantinople
Despot John Angelos, son of Michael II Doukas Komnenos (Despot of Epiros) and husband of a daughter of *sebastokrator* Constantine Tornikes	1280 (Pachymeres I.ii, 613)	Suspected of planning to proclaim himself emperor after achieving military victories against the Turks; was blinded and committed suicide in prison.
John Tarchaneiotes, an Arsenite, twice accused of conspiracy	ca. 1289 (Pachymeres II.iii, 153–55) 1297–1300 (Pachymeres II.iii, 285–99)	Wore red gloves and other imperial insignia, and was imprisoned. Was appointed general in Asia Minor, attempted to carry out a land reform, but faced resistance and abandoned his position because of accusations of coveting the throne
Despot Constantine the Porphyrogennetos, brother of Andronikos II	1292 (Pachymeres II.iii, 171–81)	Suspected of coveting the throne, was convicted and imprisoned
Alexios Philanthropenos, *pinkernes*	1295–96 (Pachymeres II.iii, 237–255)	As general in Asia Minor he rebelled and planned to claim the imperial office; captured and blinded
Despot Michael Angelos, son of Michael II Komnenos Doukas (Despot of Epiros)	1304 (Pachymeres II.iv, 435–37, 447–49)	Suspected of conspiring against Andronikos II; arrested and convicted to life imprisonment
John Drimys, a priest of Balkan origin	1305 (Pachymeres II.iv, 653)	Pretending to be John IV Laskaris, Drimys organized a conspiracy, but was apprehended and imprisoned
Kassianos, grand *primmikerios* and general in Bithynia	ca. 1307 (Pachymeres, II.iv, 681)	Accused of conspiracy in collaboration with Osman; Contacted Nikephoros Choumnos in Constantinople, who betrayed him; was imprisoned
Charles of Valois, titular Latin emperor of Constantinople	1307 (A. Laiou, *Constantinople and the Latins*, 200–20, with references to sources)	Generals in Constantinople and Thessaloniki, the metropolitan of Thessaloniki, and the monk Sophronios conspired to set him on the throne; the conspiracy was neither carried out nor exposed
Andronikos III Palaiologos, grandson of Andronikos II	1321–28 (The First Civil War)	Aristocrats and officials, with three ringleaders: Syrgiannes Palaiologos, John Kantakouzenos (the future emperor), and Theodore Synnadenos

Note: This table comprises rebellions or plots whose suspected goal was to proclaim a rival emperor. Localist and centrifugal movements and rebellions are not considered.

the Palaiologoi of the imperial office.[15] Eirene went on to marry John III Vatatzes.

While emperors and usurpers acted in ways premised on the existence of a dynastic right of succession, there were attempts to seize the throne which appear to have rested on claims that were not dynastic. In about 1224 Andronikos Nestongos, a cousin of John III Vatatzes, organized a conspiracy whose avowed goal was to proclaim him emperor, yet his family origins do not suggest dynastic claims to the imperial office. The rebellion of the general Alexios Philanthropenos in 1296 similarly did not involve any dynastic entitlement. Alexios Philanthropenos held the title of *pinkernes* and was distantly related to the ruling Palaiologan family: his grandmother Martha Palaiologina was Michael VIII's sister.[16] In 1295 he led a remarkable Byzantine military advance into Asia Minor and won spectacular victories against the Turks, some of whom joined his army. Encouraged by his soldiers and goaded by a contingent of Cretan warriors in particular, he rebelled against Andronikos II and established himself briefly as an autonomous ruler in Asia Minor. In Pachymeres' words, he became an emperor in deed, if not in title.[17] In 1296 Alexios Philanthropenos was betrayed, apprehended, and blinded.

Extraordinary political circumstances could – and did – make the imperial office elective, as the constitutional settlements of 1258 indicate. In August 1258 Theodore II Laskaris died, having appointed his confidant, George Mouzalon, to be the guardian of his underage son, John IV Laskaris. In September the Latin troops in Nicaean service mutinied, apparently incited by an aristocratic faction led by Michael Palaiologos, and brutally assassinated George Mouzalon.[18] A few days later an assembly gathered in the city of Magnesia to elect the new guardian. The electoral process that followed was not a Nicaean invention. In 1171 the emperor Manuel I Komnenos had enacted a constitutional arrangement which stipulated that if the guardian appointed by him should pass away before the coming of age

[15] Akropolites I, 26, mistakenly calls him Despot Andronikos Palaiologos. His true identity is revealed by a contemporary author of the early thirteenth century, Nicholas Mesarites. See A. Heisenberg, *Nikolaos Mesarites. Die Palastrevolution des Johannes Komnenos* (Würzburg, 1907), 10; Polemis, *The Doukai*, 156, nn. 3 and 4.

[16] Alexios Philanthropenos' father was the grand domestic Michael Tarchaneiotes (d. 1283) – son of Martha Palaiologina and the grand domestic Nikephoros Tarchaneiotes. See Laiou, *Constantinople and the Latins*, 87, n. 4 (genealogical table).

[17] Pachymeres II.iii, 245.25–26: αὐτὸς δ' ἦν ἐκείνοις καὶ ἄρχων καὶ ἡγεμὼν καὶ βασιλέως φέρων, εἰ καὶ μὴ ὄνομα, ἀλλ' ἀξίωμα. Pachymeres also adds the telling detail that daily liturgies celebrated in Asia Minor ceased to mention Andronikos II's name, a sign of the change of regime.

[18] D. Geanakoplos, "The Nicene Revolution of 1258 and the Usurpation of Michael VIII Palaeologos," *Traditio*, 9 (1953), 420–29.

of his son, a new guardian ought to be elected "by a common decision."[19] In 1258 high officials, soldiers, and ecclesiastics took part in the electoral assembly in Magnesia. According to Akropolites, the participants were grouped according to their rank (*kata taxeis*) and ethnicity (*kata genos*) – Byzantines, Latins, and Cumans. Each of these three ethnic groups were questioned and responded separately to inquiries as to their opinion, and Michael Palaiologos was unanimously elected guardian of the young emperor.[20] In the following months Palaiologos was appointed Despot and was in the end proclaimed co-emperor on 1 January 1259, although the details of who made these decisions and how are not entirely clear.[21] Before his imperial proclamation a special constitutional settlement was made. Michael VIII Palaiologos took an oath that he would respect the rights of John IV Laskaris, his successor. In the event of one of the two rulers plotting against his partner, the subjects were to punish the conspirator with death and to "proclaim as emperor whomever they like from the senate."[22] All subjects took an oath obligating them to honor and enforce the settlement between the two emperors. Although broken by Michael VIII, this arrangement is quite important for understanding Byzantine constitutional practices, and shows that the election of an emperor was considered a legitimate possibility in extraordinary circumstances.

IDEAS OF DYNASTIC CONTINUITY

The imperial panegyrics of the thirteenth and fourteenth centuries demonstrate that ideas of dynastic succession were firmly embedded in the minds

[19] In 1171, two years after the long-awaited birth of a male heir, Manuel I issued a constitutional arrangement for the succession. See A. Pavlov, "Sinodal'nyi akt Konstantinopol'skago patriarkha Mikhaila Ankhiala 1171 goda," VV, 2 (1895), 393.6–9: Ἐὰν δὲ καὶ οἱ τοιοῦτοι ἐπιλείψωσιν, ἵνα ὑπάρχω τῆς αὐτῆς βουλῆς καὶ τοῦ θελήματος [μετὰ] τῶν μελλόντων τηνικαῦτα ἀπὸ κοινῆς βουλῆς προκριθῆναι ἑτέρων ἀνθρώπων εἰς ἀναπλήρωσιν τοῦ τόπου τῶν δηλωθέντων.

[20] Akropolites I, 156–59, esp. 158. Cf. *Nicephori Blemmydae Autobiographia*, II, 81, ch. 80. Pachymeres' account, which is hostile to Michael VIII, differs from that of Akropolites and notes that patriarch Arsenios was not present in Magnesia, but was still in Nicaea. See Pachymeres I.i, 95–97. See also chapter 11, n. 63. For an analysis of this episode, see Aik. Christophilopoulou, *Ἐκλογή, ἀναγόρευσις καὶ στέψις τοῦ βυζαντινοῦ αὐτοκράτορος* (Athens, 1956), 181–82, according to whom the expression κατὰ τάξεις refers to the battle order of the troops. C. Tsirpanlis, "Byzantine Parliaments and Representative Assemblies from 1081 to 1351," B, 43 (1973), 456–57, calls the assembly of 1258 a senatorial one, a characterization which is not warranted.

[21] On the date of these events see P. Wirth, "Die Begründung der Kaisermacht Michaels VIII. Palaiologos," JÖB, 10 (1961), 87–89.

[22] This important detail is found only in patriarch Arsenios' testament. See PG, vol. 140, col. 952B: ἀναγορεύωσι δὲ ἐκ τῆς συγκλήτου βασιλέα ὃν καὶ θέλουσι.

of the rhetoricians and their audiences. Very often the rhetoricians called succession from father to son a "legal" (*ennomos*) transfer of power.[23] Furthermore, they ended their speeches by praying that the ruler's offspring would inherit the imperial office.[24] The rhetoricians presented each single emperor as having acquired the throne by kinship (whether direct or by marriage) with his predecessor. In the case of the Nicaean rulers the focus was entirely on kinship by marriage. Thus Choniates wrote that a marriage association had elevated Theodore I Laskaris to the imperial office.[25] Akropolites stressed that John III Vatatzes had acquired the imperial throne as "a just allotment" from his father-in-law, not as a "usurpation."[26] Palaiologan court rhetoric began to flaunt publicly the pedigree of the emperor and the virtue of nobility, as we saw earlier.[27] For Holobolos, all ancestors of Michael VIII were emperors. In his panegyrics of Michael VIII and Andronikos II, Gregory of Cyprus claimed that the Palaiologoi were the only Byzantine family after 1204 whose fortunes God had mercifully upheld, and God had predestined them to accede to the imperial throne one day.[28]

In addition to praising the pedigree of the Palaiologoi, rhetoricians stressed the existence of dynastic continuity between the Laskarid emperors of Nicaea and Michael VIII. Thus they regularly referred to Vatatzes as Michael VIII's uncle, although this was not the precise family relation between the two men.[29] Furthermore, they took care to describe how Vatatzes raised the first Palaiologos at the palace, recognized his superb

[23] Choniates, *Orationes*, 87.21–22: κληρονόμος ἔννομος; Jacob of Bulgaria, 91.16; Demetrios Kydones, in G. Cammelli, BNJ, 4 (1923), 78.38: ὁ μετὰ τῶν νόμων δυνάμενος βασιλεύειν (John V); John Chortasmenos, in H. Hunger, *Johannes Chortasmenos (ca. 1370–ca. 1436/37), Briefe, Gedichte und Kleine Schriften* (Vienna, 1969), 221–22, esp. 221.175–176: ἐν ταῖς κατὰ νόμοις διαδοχαῖς. In his diatribe against Emperor Alexios I Komnenos, John Oxeites wrote that Alexios I's rise to power was illegal (ἔκθεσμος). See P. Gautier, "Diatribes de Jean l'Oxite contre Alexis I[er] Comnène," REB, 28 (1970), 29. The historian Pachymeres considered Michael VIII's accession to be "unjust": Pachymeres I.i, 253.21: ὡς δῆθεν οὐκ ἐνδίκως ἄρξας.

[24] Jacob of Bulgaria, 93; Patriarch John XIV Kalekas' encomium on the emperor John V Palaiologos, in P. Ioannou, OCP, 27 (1961), 45.26–21. This prayer had been recommended already by Menander.

[25] Choniates, *Orationes*, 130.29–32: ἐκάλει μὲν γάρ σε πρὸς βασιλείαν καὶ τῶν ὅλων ὑπερεκάθιζε καὶ κῆδος βασίλειον καὶ τὸ τοῦ γένους εὔποτμον καὶ ἐπίσημον καὶ τὸ βραχύ τι παρὰ Ἀγγέλους ἠλαττονῆσθαι τοὺς τὰ Ῥωμαίων σκῆπτρα χειρίζοντας.

[26] Akropolites II, 15.12–15: ὁ μὲν δὴ βασιλεὺς οὗτος ὁ μέγας τὴν ἡγεμονίαν παρὰ τοῦ βασιλέως καὶ κηδεστοῦ προσδεξάμενος, κλῆρον δίκαιον καὶ ἀνῆκον ἀγκαλισάμενος σχοίνισμα, ἀλλ' οὐχ ἅρπαγμα συλησάμενος.

[27] Holobolos, *Orationes*, 32.37–33.2; Choumnos, AG, vol. 2, 5–8; Metochites, Cod. Vindob, phil. gr. 95, ff. 82 v.–83 r.

[28] Gregory of Cyprus, PG, vol. 142, cols. 352D–353A, 396A.

[29] The kinship was more distant and had been established by marriage. Michael VIII's mother, Theodora Palaiologina, was a first cousin of John III's first wife, Eirene Laskarina. Michael VIII himself married Vatatzes' grandniece, Theodora Doukaina. See Laurent, "La généalogie des premiers Paléologues," 146 (genealogical table); Akropolites I, 101.

warrior abilities, and appointed the young man to a position of high military command.[30] Two of the orators explicitly presented the idea of continuity between the Laskarids and the Palaiologoi: they wrote that Michael VIII was the heir to the line of three great rulers who governed the empire after 1204.[31] Evidently the orators had in mind Theodore I Laskaris, John III Vatatzes, and Theodore II Laskaris, conspicuously omitting the last Laskarid emperor, John IV, from whom Michael VIII usurped the imperial office.

IDEAS OF OPEN ACCESS TO THE IMPERIAL OFFICE

The image of dynastic continuity projected by the panegyrics coexisted with ideas supporting exactly the opposite view. Occasionally rhetoricians explicitly praised an emperor for *not* having gained power from his father or his relatives. Niketas Choniates, who was exceedingly critical of the Komnenoi in his historical work, commended in his orations the Angeloi emperors and Theodore I Laskaris for having broken the Komnenian pattern of family succession. In a rhetorical twist he lauded Isaac II Angelos for not being a "legal heir" to the throne. Thus, by gaining his office illegally, he made his family renowned.[32] Addressing Alexios III Angelos, Choniates wrote in a similar vein that an imperial pedigree did not necessarily nurture virtue.[33] After 1204, in his first oration in praise of Theodore I Laskaris, Choniates exultantly noted that imperial succession no longer rested within a single family.[34] In the mid-fourteenth century Nicholas Kabasilas, who addressed in 1353 the emperor Matthew I Kantakouzenos (1353–57), wrote that disgraceful people sometimes also boasted imperial lineage and that pedigree was not a sufficient ground for claiming the imperial office.[35]

Rhetoricians pitted three different ideas against the principle of hereditary succession. First, they presented the emperor as having gained power as a reward for his virtues. Second, they portrayed him as a charismatic ruler

[30] Holobolos, *Orationes*, 34.2–22; Gregory of Cyprus, PG, vol. 142, col. 360BC. The designation of John III Vatatzes as Michael VIII's "uncle" is also found in official documents. See MM, vol. 6, 199–201.

[31] Previale, "Un panegirico inedito,"19.20–24; Planoudes, "Basilikos," BSl, 28 (1967), 65.641–643.

[32] Choniates, *Orationes*, 87.20–22.

[33] *Ibid.*, 55.7–26.

[34] *Ibid.*, 131.4–6: καὶ τοῦ καιροῦ μονονουχὶ φωνὴν ἀφιέντος κατὰ περίτρανον κήρυκα μὴ τύχης πέττευμα, μὴ γένους κληρούχημα, ἀλλ' ἀνδρείας δώρημα καὶ πολλῶν ἱδρώτων βράβευμα προκεῖσθαι τὴν βασιλείαν.

[35] M. Jugie, "Nicolas Cabasilas, Panégyriques inédits de Mathieu Cantacuzène et d'Anne Paléologine," IRAIK, 15 (1911), 117.7–8: ἐπεὶ τὸ μὲν εἰς βασιλέας τοὺς προγόνους ἀνάγειν ἔστιν οἷς καὶ τῶν αἰσχρῶν ἐξεγένετο. Kabasilas had in mind the rival emperor, John V Palaiologos. On the date of this panegyric, see D. Nicol, *The Reluctant Emperor: A Biography of John Cantacuzene, Byzantine Emperor and Monk, c. 1295–1383* (Cambridge, 1996), 119.

modeled after the Biblical king David. Third, they spoke of the election of the emperor to his office.

The imperial office as a "reward for virtue"

The first of these three interpretations was nothing more than a rhetorical flourish derived from late antique court oratory. In his speech "To the emperor" Aelius Aristides wrote that the emperor he was praising, most likely Antoninus Pius, was worthy of his office before his accession and that he gained imperial power as "a prize for virtue."[36] The late antique orators Themistius and Synesius used the same phrase in the same context in speeches addressed to various rulers. For both authors, acquiring the imperial office as a reward for virtue was the alternative to hereditary succession.[37] This rhetorical comment, although it does not figure in any rhetorical guidebook, was common in imperial encomia of the twelfth and the thirteenth century – doubtless under the influence of late antique specimens of court oratory. A twelfth-century panegyrist noted that the first Komnenos, Alexios I, had gained the throne as a prize for his bravery and military victories. Manuel I Komnenos was also said to have acquired the imperial office as a reward for his excellence rather than by direct inheritance – he was not the eldest son of his emperor-father John II Komnenos (1118–43) and the purple did not belong to him by birthright.[38] In an imperial panegyric delivered in 1187, Michael Choniates expressly described the two alternative ways in which legitimate emperors rose to the throne: some did so by hereditary succession, others as reward for virtue.[39] His brother, the rhetorician and historian Niketas, was fond of praising emperors, all of them successful usurpers, for having acquired

[36] *Aelii Aristidis Smyrnaei quae supersunt omnia*, ed. B. Keil, vol. 2 (Berlin, 1898), 254.14–15: πάλαι τούτῳ καὶ δι' ἀρετὴν τοῦτο τὸ γέρας ὠφείλετο. The expression "reward for virtue" goes back to Aristotle's *Nicomachean Ethics*, 1099b, 1123b.

[37] See Themistius' oration addressed to Valentinian II the Younger (375–392), Or. 9, 24bc: ὅτι δὲ οἱ μὲν ἀρετῆς ἆθλον ἐκαρπώσαντο τὴν βασιλείαν, σοὶ δὲ ἡ γένους δίδωσι διαδοχή. Cf. also Synesius' *On Kingship*, in *Synesii Cyrenensis hymni et opuscula*, ed. N. Terzaghi, vol. 2 (Rome, 1944), ch. 4, 11.5–6: ἀναπέμπασαι δὲ τὸν πατέρα, καὶ ὄψει τὴν ἀρχὴν αὐτῷ μισθὸν ἀρετῆς δοθεῖσαν. Synesius referred to Theodosius I's (379–395) rise to the imperial office which was not by any right of heredity. By contrast, the emperor Arcadius, the addressee of Synesius' *On Kingship*, was the son of Theodosius.

[38] See Michael the Rhetor's encomium on Manuel I, Regel and Novosadskii, *Fontes*, 151, esp. 151.6–7: Ἀλέξιος δὲ τὴν βασιλείαν ἆθλον ἀνδρείας καὶ πολλῶν τροπαίων ἀπειληφώς. This speech dates to Epiphany 1152–53. See P. Magdalino, *The Empire of Manuel I Komnenos, 1143–1180* (Cambridge, 1993), 439.

[39] See Michael Choniates' encomium on Isaac II, *Μιχαὴλ Ἀκομινάτου τοῦ Χωνιάτου τὰ σωζόμενα*, ed. S. Lampros, vol. 1 (Athens, 1879), 170–171. This passage has been noticed by Cheynet, *Pouvoir et contestations*, 184, who considers the distinction to be fictitious rather than real.

the throne as a prize for their virtues.[40] Two thirteenth-century emperors who did not inherit the throne from their fathers – Theodore I Laskaris and Michael VIII Palaiologos – were said to have acquired it through virtue.[41] In the reign of Andronikos II this rhetorical comment fell out of use and was not to reappear in Byzantine court rhetoric until 1453. Thus the idea clearly served to explain and justify successions that were not hereditary and that a hostile perspective might have considered illegitimate. The establishment of the Palaiologan dynasty made the further use of this idea unnecessary.

Charismatic kingship

While the idea of the emperor's elevation to the throne as a prize for virtue was a mere rhetorical flourish, conceptions of charismatic and sacral rulership provided rhetoricians with the possibility of formulating a real ideological alternative to the principle of hereditary succession. Accordingly, the orators commented that the new emperor did not derive power from his predecessor, but directly from God. The idea that God appoints, anoints, and dismisses kings is ubiquitous in the Old as well as in the New Testament.[42] Especially important for the Byzantine political imagination was the figure of King David – a favorite model of kingship in Byzantium. Prayers offered at imperial coronations from the eighth until the fourteenth century regularly compared the new ruler to David.[43] Imperial panegyrics

[40] See Niketas Choniates' panegyric of Alexios III Angelos delivered in June 1200, Choniates, *Orationes*, 57.31–58.32: ἆθλον ἀρετῆς καὶ καμάτων ἀντίδοσιν, ἀλλ' οὐχὶ χάριν τὴν βασιλείαν παρέσχετο. He used exactly the same expression in his oration on Theodore I Laskaris. See further the note following.

[41] Choniates, *Orationes*, 130.27–28: ἆθλον ἀρετῆς καὶ καμάτων καὶ τραυμάτων ἀντίδοσιν; Holobolos, *Orationes*, 35.29: ἆθλων τῶν πρὶν ἀμίσθων ἀντίδοσις; Gregory of Cyprus, PG, vol. 142, col. 368A: ὡς ἆθλον τῆς ἀρετῆς; L. Previale, "Un panegirico inedito," 20.7–8: ἐξ ἀρετῆς ἐπόνησας τὸ δώρημα; Metochites, Vindob. phil. gr. 95, f. 83 r: τὴν βασιλείαν ἆθλον μεγαλοφυΐας δεξάμενος (in reference to Michael VIII). See the arguments in favor of Michael VIII's imperial accession reported by Pachymeres, which closely mirror imperial propaganda: Pachymeres I.i, 129.8–12.

[42] See, for example, Saint Paul's epistle to the Romans, 13:1: "there is no authority unless it has been instituted by God" (οὐκ γὰρ ἔστιν ἐξουσία, εἰ μὴ ὑπὸ θεοῦ). This saying was excerpted in the tenth- or eleventh-century *Melissa* florilegium, with the interesting addition that God "appoints and removes emperors." See PG, vol. 136, col. 1000D.

[43] M. Arranz, "Couronnement royal et autres promotions de cour. Les sacrements de l'institution de l'ancien Euchologe constantinopolitain, III-1," OCP, 56 (1990), 93: Κύριε ὁ Θεὸς ἡμῶν, ὁ βασιλεὺς τῶν βασιλευόντων καὶ κύριος τῶν κυριευόντων, ὁ διὰ Σαμουὴλ τοῦ προφήτου ἐκλεξάμενος τὸν δοῦλον σου Δαβὶδ καὶ χρίσας αὐτὸν εἰς βασιλέα ἐπὶ τὸν λαόν σου τὸν Ἰσραήλ. This prayer is found in several codices, the oldest of which (Cod. Barberinus gr. 336) dates to the late eighth century. See R. Taft, "Euchologion," ODB, vol. 2, 738. The prayers reflect a period of Byzantine coronation ritual before the introduction of unction. The protocol of the coronation of Manuel II Palaiologos quotes verbatim a similar prayer pronounced by the patriarch before anointing the emperor, which too mentions God's anointment of David. See Pseudo-Kodinos, 353–54.

of the thirteenth and the early fourteenth century likened every single emperor to David, as the list of comparative figures shows (see table 2). The biography of David presented useful parallels with the instability of the Byzantine imperial office. The story in the Book of Kings relates how God, angered by the impiety of Saul, raised to kingship the shepherd David, the youngest among eight brothers.[44] David was first anointed by the prophet Samuel. Then a conflict between David and Saul broke out, and Saul was defeated in battle and killed. Byzantine rhetoricians, faced with a similar reality, used the story of David and Saul to infuse violent accessions to the throne with a sense of biblical legitimacy.

Davidic kingship appears to have been a truly medieval idea in Byzantium, without any precedent in late antique court oratory, at least none in works composed in Greek. Rhetorical comparisons of the emperor's rise to power with that of David are attested in the second half of the ninth century. At that time, a lowborn man, Basil I the Macedonian (867–82), usurped the imperial office from the Amorian line of emperors and founded the Macedonian dynasty. Contemporary court rhetoric compared him to the shepherd David whom God had chosen to replace Saul.[45] The saint's life of Constantine the Philosopher composed between 869 and 882 presents an interesting exchange of views in the dispute between Constantine, a Byzantine diplomat and missionary, and the pagan Khazars. The Khazars asked Constantine why the Byzantines did not practice hereditary succession, which was common among many other peoples. Constantine is reported to have responded by singling out the example of David, God's elect, who became king without being Saul's relative.[46]

The fate of the Davidic theory during the centuries of rule of the Macedonian dynasty is not altogether clear.[47] In the mid-eleventh century, when the Macedonian dynasty had practically died out, Michael Psellos wrote in an imperial panegyric that the emperor Constantine IX Monomachos (1042–55) bore similarities to David, as both suffered

[44] I Kings 16 ff.

[45] A. Markopoulos, "An Anonymous Laudatory Poem in Honor of Basil I," DOP, 46 (1992), 230, vv. 70–88. The authorship of this poem has been attributed to Patriarch Photios. Basil I was greatly interested in projecting a public image as a New David. He is reported to have posed questions about David to patriarch Photios. In the twelfth century the horn which Samuel allegedly used to anoint David was kept in the church of Nea Ecclesia in Constantinople, built by Basil I. See P. Magdalino, "Observations on the Nea Ecclesia of Basil I," JÖB, 37 (1987), 51–64.

[46] F. Dvornik, *Les Légendes de Constantine et de Méthode vues de Byzance* (Prague, 1933), 360.

[47] A study on this subject is needed. In the tenth century the demes acclaimed the emperor as David on the Hippodrome. See A. Vogt, *Constantine VII Porphyrogénète: le livre des cérémonies*, vol. 2 (Paris, 1939), 127–28, 167.

persecution and exile before becoming rulers.[48] However, the true revival of Davidic ideas of succession took place during the period of flowering of court rhetoric in the reign of Manuel I Komnenos. Manuel was the youngest son of the emperor John II Komnenos and was not considered to be a likely candidate for the imperial office. When John II unexpectedly died during an expedition to Cilicia in 1143, the troops and officials present proclaimed Manuel emperor, despite the fact that Manuel had an older living brother, Isaac, who was in Constantinople at the time. In the eyes of contemporary rhetoricians Manuel became a New David, the youngest son in the imperial family called forth to power by God.[49] In 1164 the panegyrist John Diogenes remarked that many orators at the time had spoken of how God had raised Manuel to kingship and how he had selected him from among thousands of men, just as he had once done with David. Yet, unlike David, Manuel was not a simple shepherd, but a prince born to the purple.[50] Comparisons between the accession of the reigning emperor and that of David continued under the Angeloi dynasty (1185–1204). An orator at the court of Isaac II Angelos (1185–95) compared the emperor's harsh treatment by his predecessor to the way in which Saul had forced David to flee and take refuge among the Philistines.[51] Another orator noted that the emperor and David were similar because both acceded to the throne after the death of the persecutor, that is, the previous emperor.[52] Alexios III Angelos, who deposed his brother Isaac II, was also likened to David.[53]

David-centered ideas of succession persisted without any interruption into the period after the fall of Constantinople. Choniates compared the imperial proclamation of Theodore I Laskaris to the way in which the

[48] *Michaelis Pselli orationes panegyricae*, ed. G. T. Dennis (Stuttgart and Leipzig, 1994), 41.

[49] *Michel Italikos. Lettres et discours*, ed. P. Gautier (Paris, 1972), 292.1–4. On this panegyric by Michael Italikos see Magdalino, *The Empire of Manuel I Komnenos*, 435–38.

[50] Regel and Novosadskii, *Fontes*, 306.22–25: ὅπως μὲν οὖν, στρατηγικώτατε βασιλεῦ, ἐκλελοχισμένος ἐκ μυριάδων, ὡς ὁ Δαβίδ, ἐλήφθης εἰς βασιλείαν, οὐκ ἐκ τῆς μάνδρας, ἀλλ' ἐκ πορφύρας, οὐκ ἐκ ποιμνίων, ἀλλ' ἐκ βασιλείων, ἐπὶ μακρὸν ἐξύμνηται καὶ λελάληται. On the date of this speech, see Magdalino, *The Empire of Manuel I Komnenos*, 455.

[51] The panegyrist was John Kamateros, who spoke at Epiphany 1186. See Regel and Novosadskii, *Fontes*, 249.18–250.8. On the date see M. Bachmann, *Die Rede des Johannes Syropulos an den Kaiser Isaak II. Angelos (1185–1195)* (Munich, 1935), 108.

[52] Choniates, *Orationes*, 98.12–26, esp. 98.25–26: ἡ δὲ τῆς βασιλείας ὁμοία κατακληρούχησις ὑπαπιόντων τῶν διωκτῶν. Choniates wrote the oration for Epiphany 1190. See also George Tornikes' speech on Isaac II at Epiphany 1193, where Isaac's elevation to the throne was compared to that of David: Regel and Novosadskii, *Fontes*, 274–75. On the often disputed date of this speech see J.-L. van Dieten, "Das genaue Datum der Rede des Georgios Tornikes an Isaak II. Angelos," BF, 3 (1968), 114–16.

[53] Choniates, *Orationes*, 57.27–30. Here Choniates compared Alexios III to David (both had survived persecution) and then noted that the emperor held his office as a reward for his virtues. See above, n. 40.

divided Jewish tribes had once accepted David.[54] Jacob of Bulgaria pointed out that the story of Saul's decline and David's rise had a special relevance to the way in which John III Vatatzes had acceded to the throne.[55] In a publicly delivered sermon the Nicaean patriarch Germanos II compared Vatatzes to David, as both were youngest sons who became rulers chosen by God.[56] Manuel Holobolos took pains to find similarities between the biography of David and that of Michael Palaiologos. He wrote that "it was necessary" for Palaiologos, who had aroused the suspicions of his predecessor, the emperor Theodore II Laskaris (1254–58), to flee to the Turks so that he could emulate David's flight to the Philistines.[57] Holobolos further noted that Michael VIII, just like David, was acclaimed emperor three times: the first time not very conspicuously in Nymphaion as in the case of the anointment of David by Samuel, the second time in Nicaea, in a way parallel to the anointment of David by the ten tribes of Judah in Hebron; and the third time – the most glorious one – in Constantinople, just as David had been anointed as ruler of the united kingdom of Judah and Israel.[58] Another panegyrist of Michael VIII, Gregory of Cyprus, also referred to the example of David when he described the moment of transfer of imperial power into the hands of Palaiologos.[59]

In the context of imperial panegyric, ideas of Davidic succession disappeared after the reign of Michael VIII, a fact doubtless associated with the establishment of hereditary succession within the Palaiologan family. As Table 2 shows, not many of the numerous comparisons of the emperor to David figure in encomia on Andronikos II, who nonetheless was the most highly praised emperor in the period. Furthermore, unlike speeches addressed to earlier emperors, the panegyrics of Andronikos II used the figure of the Old Testament king to refer to relatively minor aspects of the imperial portrait: the emperor's mildness and piety, and his ability to calm people, as David once had by playing his harp.[60]

[54] Choniates, *Orationes*, 134.18–20. The orator mentioned further (139.16–19) that the New David was not David Komnenos, the ruler of Trebizond, but Theodore I Laskaris.

[55] Jacob of Bulgaria, 83.27–31.

[56] S. Lagopates, *Γερμανὸς ὁ Β' πατριάρχης Κωνσταντινουπόλεως–Νικαίας (1222–40). Λόγοι, ὁμιλίαι καὶ ἐπιστολαί* (Tripolis, 1913), 275.2–25. This passage deserves to be considered in prosopographical studies of the family of John III Vatatzes.

[57] Holobolos, *Orationes*, 34.23–34.

[58] Holobolos, *Orationes*, 92.16 – 93.4. Holobolos (38.22, with a reference to Psalm 144) compared the hands of Michael VIII to those of David.

[59] Gregory of Cyprus, PG, vol. 142, col. 368C.

[60] On David's mildness see Choumnos, AG, vol. 2, 49; Metochites, Cod. Vindob, phil. gr. 95, f. 95 r.; Lampenos, *Encomium*, 77.18–26; On David's piety, Metochites, Cod. Vindob, phil. gr. 95, f. 93 r.; Lampenos, *Encomium*, 77.18–26. On David's playing the harp, see Gregoras I, 338.14. For the early fifteenth century, see S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 3 (Athens, 1926), 221.25–26.

That court rhetoric under Andronikos II no longer presented imperial succession as an act of divine choice does not mean that this idea fully disappeared from Byzantine political imagination. A secret letter written by a conspirator against the regime of Andronikos II reveals how conceptions of charismatic (though not, in this case, Davidic) kingship and usurpation went hand in hand. In 1307 a group of conspirators, mostly generals in Constantinople and Thessaloniki, wrote letters to Charles of Valois, the titular Latin emperor of Constantinople, in which they invited him to oust the current emperor, Andronikos II. The most educated writer among the conspirators was a certain monk Sophronios, who may be identical with the monk Sophonias – Andronikos II's ambassador to the court of Naples in 1294 and a well-known Aristotelian commentator.[61] In his letter to the French pretender to the Byzantine throne the monk described the disastrous state of Asia Minor, where the Turks were pillaging cities and enslaving the local population. Although Charles of Valois claimed the throne of Constantinople because of his marriage to the heiress to the Latin empire Catherine of Courtenay, Sophronios did not speak of dynastic rights or entitlement. Instead he wrote that the empire needed a savior chosen by God, and expressed his expectation that Charles would be that savior.[62] The emphasis on charismatic kingship thus served as an ideology of usurpation.

Elective kingship

A rhetorical claim unique to the speeches addressed to Michael VIII is his election (*psephos*) as emperor and the role of consent by the subjects to his accession. Nicaean court propaganda never made such a claim, and it must be associated with the electoral assemblies that convened in 1258 and paved the way for Michael VIII's rise to power.[63] Indeed, Palaiologan court rhetoric considered the theme of the imperial election of Michael VIII to be very important, for it figured not only in most orations in his honor, but also in speeches addressed to Andronikos II, sometimes more

[61] See PLP 26424; Laiou, *Constantinople and the Latins*, 215–16; M.-H. Congourdeau, "Note sur les Dominicains de Constantinople au début du 14e siècle," REB, 45 (1987), 180–81. By 1307 this Sophonias had converted to Catholicism under the influence of Dominican friars living in Pera.

[62] H. Moranville, "Les projets de Charles de Valois sur l'Empire de Constantinople," *Bibliothèque de l'École des Chartes*, 51 (1890), 86 (= MM, vol. 3, 245): χρεία δὲ ἐν τούτοις τοῦ σώζοντος καὶ λυτρωσομένου. οὗτός ἐστιν ὃν ὁ Θεὸς ἐγερεῖ καὶ τῇ δεξιᾷ ὑψώσει [Psalm 117:16]. Εὐχόμεθα δὲ ἵνα αὐτὸς ἐκεῖνος ὑπάρχεις.

[63] In his first oration addressed to Theodore I Laskaris Choniates praised the emperor for having spoken at councils in the cities in Asia Minor and for warning people of imminent dangers should they decide not to come under his protection. However this description has little to do with ideas of succession. See Choniates, *Orationes*, 131.17–23. On the disintegration of state power in Asia Minor which led the local population to look for military protectors, see Akropolites I, 12.5–10.

than thirty years after the accession of the Palaiologoi.[64] In addition to his election, Michael VIII was praised for listening to good counsel. Gregory of Cyprus, for example, extolled Michael VIII Palaiologos for his willingness as a military commander under John III Vatatzes to consult his peers and never to take action on his own.[65]

Under Andronikos II the rhetoric of imperial election lost its relevance to official ideology, as also did other ideas that ran contrary to the principle of hereditary succession. In a rhetorical twist the orator Nicholas Lampenos, who spoke between 1296 and 1303, mused on the question as to what would have happened had Andronikos II not been born to a father emperor. This was a hypothetical possibility, and Lampenos stressed that Andronikos had received power from his father. But had this not been the case, the subjects would have set him up as an emperor in a most "tyrannical" fashion. According to Lampenos, Andronikos II would have been proclaimed emperor "by the choice of all" and as a "prize for his virtue."[66] Thus Lampenos summarized two of the rhetorical ideas of succession favoring openness of access to the imperial office, omitting the third one, Davidic kingship. It is noteworthy that the concept of elective kingship did not fully disappear from official court rhetoric and was revived in the middle of the fourteenth century to suit special political circumstances. At that time Nicholas Kabasilas addressed a panegyric to the son of John VI Kantakouzenos, Matthew I Kantakouzenos, an emperor proclaimed by his troops in opposition to the legitimate Palaiologan emperor, John V Palaiologos (1341–91). Not only did Kabasilas mention that imperial pedigree did not necessarily foster virtue, but he also presented Matthew as an emperor elected with the consent of all subjects.[67] Ideas of electoral succession had lived on, despite the solid establishment of the Palaiologan dynasty on the throne of the Byzantine empire.

Imperial panegyrics during the thirteenth and the early fourteenth century show the existence of two conflicting conceptions of imperial succession. For the Byzantine rhetoricians before and after 1204 the only form of "legal" imperial succession was the hereditary one from father to son. The alleged legality was, of course, without any constitutional force or significance. Furthermore, ideas of dynastic continuity found in the panegyrics were conveniently imprecise. The ruling emperor could – and did – claim dynastic entitlement to the purple from a father emperor as well as from distant imperial ancestors and through kinship by marriage to a former emperor.

There were three rhetorical explanations as to why the imperial office could be contested by a candidate outside the imperial family. All three ideas about the openness of the imperial office, alongside conceptions of dynastic continuity, served to legitimize the usurpation by the Palaiologan family. During the reign of Andronikos II some of the ideological constructs that acknowledged the openness of the imperial office disappeared from court rhetoric: Michael VIII was the last Byzantine emperor whose accession was likened to that of David. The concerted efforts to legitimize the Palaiologan dynasty, now established for a second generation on the throne, doubtless led to the disappearance of potentially subversive rhetorical interpretations, such as those centered on the figure of David. Nonetheless, traces of the ideology of election are still found in a panegyric of the mid-fourteenth century. Despite the establishment of the Palaiologan dynasty, electoral ideas of the openness of the imperial office persisted until the middle of the fourteenth century and fuelled, as chapter 8 will show, political thought outside the context of court rhetoric with subversive implications.

[64] Holobolos, *Orationes*, 35.6–7: καὶ τὴν ἀρχὴν εἶχες τῇ πάντων προαιρέσει καὶ πρὸ τοῦ διαδήματος καὶ τοῦ ἐρυθροβαφοῦς ὑποδήματος; Gregory of Cyprus, PG, vol. 142, col. 368A: ὡς εὐεργεσία παντὸς τοῦ λαοῦ; col. 393BC: καὶ Ῥωμαῖοι τοὺς σοὺς γεννήτορας . . . βασιλεῖς ἀνεῖπον; Choumnos, AG, vol. 2, 8: γνώμη κοινή, πάντων εὐφημία, καὶ ψῆφος Θεοῦ βουληθέντος; Planoudes, "Basilikos," BSl, 28 (1967), 65.650–651: διαβαίνει πρὸς τὸν σόν, ὦ βασιλεῦ, πάππον ἡ βασιλεία ψήφοις ἁπάσαις τῶν Ῥωμαίων κινηθέντων τηνικαῦτα ὑπὸ Θεοῦ; Lampenos, *Encomium*, 39.11–12.

[65] Gregory of Cyprus, PG, vol. 142, cols. 362D.

[66] Lampenos, *Encomium*, 38–39, esp. 39.13–14: ἀρετῆς ἂν ἄθλον εἰλήφει τὴν βασιλείαν.

[67] M. Jugie, "Nicolas Cabasilas, Panégyriques inédits de Mathieu Cantacuzène et d'Anne Paléologine," IRAIK, 15 (1911), 116.21–31.

CHAPTER 4

The ideology of imperial government

The ideology behind the administrative policies of the Byzantine government is doubtless an important part of official political rhetoric. Put simply, this ideology projects and justifies the executive powers, primarily judicial and fiscal, of the imperial office in matters of state administration. A streak of practical ideas relevant to the daily operation of the imperial administration is distinguishable in the public image of the emperor. These ideas stand out among the rest of the imperial virtues for their functional orientation or implications; in other words, they are not restricted solely to unhistorical abstractions or images concerning the emperor. It is from among these ideas that we shall attempt in this chapter to distill the ideology of government in late Byzantium as well as its evolution in Nicaea and under the early Palaiologoi. Our investigation will follow the genre of the sources. We have chosen to inspect separately the two types of propagandist texts, panegyrics and preambles, as each reveals a different side of the practical preoccupations of the imperial office.

THE PANEGYRISTS ON IMPERIAL GOVERNMENT

Two imperial virtues associated with government are ubiquitous in court oratory: justice (*dikaiosyne*) and generosity (*euergesia* or *eupoiia*).[1] These two virtues bespeak two of the principal functions of the imperial office: the administration of justice and the redistribution of tax resources. Justice is one of Menander's four cardinal virtues, although it is noteworthy that Menander never explained its precise meaning and prescribed a few socioeconomic policies of the emperor for mention in panegyrics: the appointment of just governors, the levy of bearable taxes, and the availability of goods in the market.[2] The impact of Menander is occasionally discernible in panegyrical descriptions of the activities of the imperial government. For

[1] See chapter 2, n. 34. [2] D. Russell and N. Wilson, *Menander Rhetor* (Oxford, 1981), 88–90, 93.

example, the presentation of taxation policy as part of justice seems related to the categories of praise of the emperor introduced by Menander.[3] Furthermore, late Byzantine panegyrics made use of Menander's vocabulary when discussing the role of the emperor in ensuring the good provisioning of the markets with goods.[4]

Yet the socioeconomic ideas in the orations went much further than the sphere of governmental activities envisaged by Menander. The imperial virtue of generosity is absent from any rhetorical manual and figures rarely in late antique works of court oratory. It is, nonetheless, a royal virtue with a long history stretching back to Hellenistic kingship, and was used in Byzantine preambles as early as the laws of the emperor Theodosius II (408–50).[5] The chapter on the emperor in the ninth-century legal collection *Eisagoge* described generosity as the ruler's main mission and explained that for this reason the emperor was called "a benefactor" (*euergetes*). Whenever the ruler ceased to act generously he adulterated the purity of his imperial character. This ninth-century formulation was still cited in early Palaiologan legal collections such as the *Synopsis Minor* of the *Basilika* and the *Syntagma* of Matthew Blastares.[6] Imperial panegyrics turned generosity into a highly praised virtue which likened, as it was sometimes noted, the emperor to God.[7] Naturally, the panegyrics made different interpretations concerning the practical meaning and importance of imperial generosity in the context of specific policies. One common idea, however, runs across various panegyrics. Several orators writing independently of each other during the twelfth and the thirteenth century drew an exalted and autocratic picture

[3] See the observations of A. Laiou, "Law, Justice and the Byzantine Historians: Ninth to Twelfth Centuries," in A. Laiou and D. Simon (eds.), *Law and Society in Byzantium: Ninth-Twelfth Centuries* (Washington, 1992), 151–85, esp. 169 ff.

[4] Jacob of Bulgaria, 89.24–25, and Nicholas Lampenos (*Encomium*, 79.13–17) commended the emperors John III Vatatzes and Andronikos II, respectively, for taking care to supply the market with commodities (ὤνια) – a word found in Menander. The two speeches, however, described different policies in accordance with the different ideological preoccupations of the Laskarids and the Palaiologoi. John III Vatatzes was said to have supplied cities and villages with cheap goods and also to have secured the availability of provisions for the army. In the case of Andronikos II, the stress lay on supplying products to cities, not the countryside.

[5] On the kingly title *Euergetes* in antiquity, see J. Oehler, "Euergetes," *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*, vol. 6 (Stuttgart, 1909), 978–81; E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies*, 1 (1928), 67–68, 98. Cf. H. Hunger, *Prooimion. Elemente der byzantinischen Kaiseridee in den Arengen der Urkunden* (Vienna, 1964), 137–43.

[6] Photios, *Eisagoge*, II,3, in Zepos, JGR, vol. 2, 241: Τέλος τῷ βασιλεῖ τὸ εὐεργετεῖν, διὸ καὶ εὐεργέτης λέγεται, καὶ ἡνίκα τῆς εὐεργεσίας ἐξατονήσῃ, δοκεῖ κιβδηλεύειν κατὰ τοὺς παλαιοὺς τὸν βασιλικὸν χαρακτῆρα. See *Synopsis minor*, II,23 in JGR, vol. 6, 355; Matthew Blastares, *Syntagma*, in Rhalles-Potles, vol. 6, 123. On Photios and the *Eisagoge*, see chapter 11, n. 45.

[7] For example, Planoudes, "Basilikos," BSl, 28 (1967), 55.186–87, says that no other virtue is so much based on divine imitation as generosity.

of imperial generosity. Imperial generosity was arbitrary and autonomous, and lacked functional dimension – that is, the emperor did not act generously in response to appeals, nor did his generosity serve to foster the loyalty of individual subjects.[8] The ruler thus stood above the sphere of political networking. His generosity rested entirely on his own independent judgment as to when and on whom he should bestow an economic benefaction. This lofty idea about the arbitrary nature of royal munificence is also traditional for the mirrors of princes.[9] It is worthwhile to keep this official view in mind as the background for understanding divergent interpretations found in some preambles to official charters.

The rhetoricians mentioned specific acts of imperial openhandedness. It was common to single out the disadvantaged members of society as the most frequent recipients of grants of imperial generosity. John III Vatatzes, Michael VIII, and Andronikos II were praised for their care for the poor, the infirm, and the needy.[10] The particular recipients of this type of imperial generosity, which resembles alms-giving, varied depending on the emperor or the interests of individual authors. According to Akropolites, Vatatzes was particularly concerned with helping lepers. Holobolos and Gregory of Cyprus lauded Michael VIII for building churches, hospitals, and hostels; the latter author also mentioned that the emperor distributed dowries to poor women. Another social group that was regularly mentioned as a beneficiary of acts of imperial generosity was soldiers. Here, too, the emphasis varied. Choumnos praised Andronikos II for having issued in the period 1280–82, while still co-emperor before his father's death, imperial ordinances (*prostagmata*) on behalf of soldiers who excelled in battle against the Turks. The orator appears to have referred to grants of military landholdings awarded to distinguished soldiers. This comment agrees with what is known from other sources. On crowning him as co-emperor in 1272, Michael VIII had given his son the right to increase the *pronoiai* of soldiers.[11] Writing between 1296 and 1303, Lampenos added that Andronikos II allowed soldiers to keep for themselves the booty and slaves captured

[8] Choniates, *Orationes*, 94.31–95.3; Sergios Kolybas, in Regel and Novosadskii, *Fontes*, 299.16–17: πᾶσι διδούς, καὶ τοῖς μὴ αἰτοῦσίν σε; Planoudes, "Basilikos," BSl, 28 (1967), 55.171–172: καὶ πρὶν αἰτῆσαι τὸν χρῄζοντα ἔστιν ὅτε; Gregoras I, 341.10–16, esp. ll. 13–14: ἀναίτιος γίγνῃ καὶ σφόδρα φιλότιμος εὐεργέτης.

[9] See chapter 6, p. 196.

[10] Theodore II, *Encomio*, 68.557–569; Akropolites II, 24.3–6; Holobolos, *Orationes*, 87.11–26; Gregory of Cyprus, PG, vol. 142, col. 377CD; Planoudes, "Basilikos," BSl, 29 (1968), 38.944–950. Planoudes and Matthew of Ephesos commended Andronikos II for having ransomed captives from the enemy (apparently the Turks). For Matthew of Ephesos, see Cod. Vindob. theol. gr. 174, f. 62 v.

[11] Choumnos, AG, vol. 2, 23, A. Heisenberg, *Palaiologenzeit*, 40–41. On imperial generosity to soldiers, see also Jacob of Bulgaria, 89.25.

in battles against the Turks. For Lampenos, one of the greatest acts of the emperor's philanthropy was the transformation of the *pronoia* into hereditary property. Even the illegitimate children of soldiers were allowed to inherit from their fathers.[12]

An important theme in panegyric associated with imperial justice and generosity was taxation policy. In general, John III Vatatzes and Andronikos II were the two emperors whose fiscal policies invited rhetorical comments most frequently.[13] The three speeches in praise of Vatatzes mentioned the same laudable aspect of his taxation policy: the appointment of just tax collectors and the dismissal of those who were corrupt and rapacious.[14] Furthermore, the three Nicaean speeches dating to the 1250s considered taxation policy to be an aspect of imperial justice, and focused solely on social life in the countryside. Of the three orators, George Akropolites was the most detailed in his observations. In his epitaph on the emperor John III Vatatzes he noted that no one in Nicaea was inflicting injustice on his neighbor and that everyone was satisfied with his own property.[15] Akropolites thus presented stability of peasant landholding as the key to the establishment of social justice. It is interesting to observe that Akropolites cited a passage from the Old Testament prophet Micah (4:4), which equates peace and prosperity with a situation when everyone enjoys the fruits of his own vine and fig tree. In his *History* Niketas Choniates uses the very same passage from Micah to laud the taxation policies of Andronikos I Komnenos (1183–85), who, according to the historian, pruned the privileges of the Komnenian clan and brought justice to the peasant countryside.[16] In the thirteenth century Akropolites made a similar statement and saw in Theodore II Laskaris the continuator of Vatatzes' taxation policies.

[12] Lampenos, *Encomium*, 44.17–19, 48.17–19, 67.27–68.18. This seems to have been a temporary measure, for in about 1304 Thomas Magistros appealed for the emperor to make the *pronoiai* of soldiers hereditary. See Chapter 9, p. 303. See M. Bartusis, *The Late Byzantine Army: Arms and Society, 1204–1453* (Philadelphia, 1992), 179–82.

[13] No special attention to taxation policy was paid in the speeches addressed to Michael VIII. In a brief remark, the orator Niketas Choniates (*Orationes*, 144.1–3) praised Theodore I Laskaris for not having requisitioned draft animals belonging to the subjects of David Komnenos of Trebizond. This appears to have been a normal exaction from occupied lands of the enemy.

[14] Theodore II, *Encomio*, 59.338–41; Jacob of Bulgaria, 89.20–24; Akropolites II, 27.5–24.

[15] Akropolites II, 27.5–6: οὐκ ἀδικήσει θάτερα ἕτερος, οὐχ ἅρπαγμα ποιήσει τοῦ πλησίον.

[16] *Nicetae Choniatae Historia*, ed. J.-L. van Dieten (Berlin and New York, 1975), 325. A. Kazhdan, "Certain Trends of Imperial Propaganda in the Byzantine Empire from the Eighth to the Fifteenth Centuries," in *Prédication et propagande au Moyen Age: Islam, Byzance, Occident* (Paris, 1983), 23–24, suggested that Choniates – who viewed Andronikos I as a tyrant – borrowed the passage in question from a lost imperial panegyric. In his encomium on Isaac II Angelos the orator John Kamateros also used the same passage from Micah, although he did not refer to either taxation policies or justice in the countryside. See Regel and Novosadskii, *Fontes*, 249.16–18.

According to Akropolites, the young emperor would unwaveringly entrust the countryside to just tax officials, and would take special care to protect peasants and indigent people from social injustice.[17]

The Nicaean ideological focus on just taxation practices in the countryside is clearly connected to the circumstances that Nicaea was a land-based empire and that its rulers actively nurtured the economic well-being of the peasant population.[18] The subject of justice in the countryside never reappeared in the imperial panegyrics in praise of the Palaiologoi. The speeches to Michael VIII speak instead of rivers of generosity which flowed after the accession of Palaiologos and refer in particular to grants from the treasury hoarded by the Laskarid emperors.[19] Although panegyrics of Michael VIII Palaiologos were silent as to specific tax policies, one of them, composed between 1272 and 1274, makes interesting references to contemporary governmental practices. It mentions that Michael VIII appointed *oikeioi*, that is, the circle of men personally loyal to the emperor, to positions of military command – the only mention of *oikeioi* in imperial panegyrics.[20] The speaker also wrote that Michael VIII made his former enemies join their hands with his, most probably a reference to the Western feudal practice of *immixtio manuum*.[21] This ritual act, the focal point of the ceremony of commendation of a vassal to his lord, had been known in Byzantium since the second half of the eleventh century, when Latin mercenaries in Byzantine service declared their allegiance in this way.[22] Michael VIII, who held the court title of grand constable (commander of the Latin mercenaries in Nicaean service) before his usurpation, must have been familiar with Western feudal usages. The historian Akropolites makes an interesting reference to what probably is a ritual of commendation. After the battle of Pelagonia in autumn 1259 Despot John Palaiologos, Michael VIII's brother, accepted the allegiance of John the Bastard (the future *sebastokrator* of Thessaly), of his commanders and of his troops; they all commended themselves (literally, "gave their hands") to John Palaiologos and took an oath, presumably a personal oath of fealty to the emperor.[23] It is furthermore relevant to note that during his reign Michael VIII required the rulers of Epiros and Thessaly to take oaths of fealty to him. Therefore the reference in the panegyric to ritual commendation fits into the context of Michael VIII's use of quasi-feudal practices in his relations with local Balkan potentates.[24]

The theme of imperial taxation policy reappeared in the encomia on Andronikos II after it had lapsed in speeches in praise of Michael VIII. Unlike in Nicaean court oratory, the stress now lay on the reversal of old taxation policies and on privileges granted to individual recipients. And, again in contrast to Nicaean propaganda, taxation policy was presented under the rubric of the emperor's philanthropy, not his justice. What were the specific taxation policies which made Andronikos II a philanthropic emperor? Gregory of Cyprus, Choumnos, Planoudes, and Lampenos all found a manifestation of Andronikos II's sense of philanthropy in his resolve not to confiscate properties belonging to his subjects.[25] This persistent rhetorical comment glorified a new imperial policy of fiscal leniency – or what the orators wanted to see as fiscal leniency. It is important to observe that, according to the orators, the milder taxation policies of Andronikos II were not universally applied; that is, they did not serve to better the economic well-being of *all* subjects. Instead, the topic of individual privilege loomed large in the imperial orations. Lampenos noted that Andronikos II was different from tyrants who usurp power by making empty and unfulfilled promises to remit debts; a just emperor cancelled *some* of the debts of his subjects.[26] Matthew of Ephesos noted that people without property could always rely on the emperor's help.[27] Choumnos and Metochites specifically

[17] Akropolites II, 27.14–16: οὐ προστασία χώρων τοῖς θρασυτέροις ἢ ἀβελτήροις δοθήσεται, ἀλλὰ τοῖς ἐπιεικεστάτοις. Noteworthy is the use of the future tense.

[18] On the agrarian policies of the Nicaean emperors see A. Ahrweiler, "La politique agraire des empereurs de Nicée," B, 28 (1958), 51–66.

[19] Holobolos, *Orationes*, 35.33–36.6; Gregory of Cyprus, PG, vol. 142, col. 377D.

[20] Previale, "Un panegirico inedito," 36.3–5. On the *oikeioi*, see J. Verpeaux, "Les οἰκεῖοι. Notes d'histoire institutionnelle et sociale," REB, 23 (1965), 89–99.

[21] Previale, "Un panegirico inedito," 35.20–21: ἔτι δὲ τῇ τῶν χειρῶν ξυμβλ<ήσει> τό τε κρατεῖν οὐ παράδοξον. On the word σύμβλησις, meaning "joint," "joining," see Exodus 26:24 (the joint of the tabernacle).

[22] Nikephoros Bryennios, *Histoire*, ed. P. Gautier (Brussels, 1975), 275.17–18: ταῖς ἐκείνου χερσὶ τὰς χεῖρας ἐμβάλλοντες; Anna Comnena, *Alexiad*, I 1.6, ed. B. Leib, vol. 1 (Paris, 1967), 24.20–22. See J. Pryor, "The Oaths of the Leaders of the First Crusade to Emperor Alexius I Comnenus: Fealty, Homage = *Pistis, Douleia*," *Parergon*, n.s., 2 (1984), 115 and n. 20; J. Shepard, "The Uses of the Franks in Eleventh-Century Byzantium," *Anglo-Norman Studies*, 15 (1992), 302 and n. 124, 305 and n. 133.

[23] Akropolites I, 170.6–9, esp. l. 8: χεῖρας αὐτῷ δεδώκασι.

[24] R.-J. Loenertz, "Mémoire d'Ogier, protonotaire, pour Marco et Marchetto nonces de Michel VIII Paléologue auprès du pape Nicolas III, 1278, printemps-été," OCP, 31 (1965), 390. This feudal oath of the rulers of Epiros and Thessaly to the Byzantine emperor is discussed in chapter 10, pp. 335–40.

[25] Choumnos, AG, vol. 2, 46; Gregory of Cyprus, PG, vol. 142, col. 412AB; Planoudes, "Basilikos," BSl, 29 (1968), 38.951–952; Lampenos, *Encomium*, 79.24. Choumnos and Gregory of Cyprus referred to the circumstance that slanderers were no longer permitted to appropriate properties of other people. Gregory of Cyprus mentioned specifically the destruction of old tax registers and the abandonment of the practice of tax farming. Herbert Hunger insisted that the word δήμευσις in Lampenos' speech might mean "execution" rather than "confiscation." See H. Hunger, "Zur Humanität Kaiser Andronikos II.," ZRVI, 8 (1963), 152.

[26] Lampenos, *Encomium*, 62.24–28. Cf. Holobolos, *Orationes*, 36.15–16, where Michael VIII is said to have cancelled debts on his accession.

[27] Matthew of Ephesos, Cod. Vindob. theol. gr. 174, f. 62 v. Cf. f. 63 r., where the orator mentions that the emperor is not simply generous to all, but also to each single subject individually.

referred to the social class which benefited from Andronikos II's lenient tax policies. Choumnos declared, "henceforth just wealth is not plotted against by injustice, nor does evil poverty befall the propertied people."[28] In his second imperial oration addressed to Andronikos II, Metochites concurred with Choumnos and praised the emperor for having allowed the rich classes in the city of Nicaea to flaunt their wealth openly. Here Metochites probably referred to a "common chrysobull" with tax exemptions on behalf of the urban community of Nicaea, which the emperor appears to have issued during his campaign in Asia Minor in the years 1292–93.[29] The mention of the emperor's support for the wealthy classes is characteristic only of the panegyrics by Choumnos and Metochites, both of whom were to enrich themselves when they became high-standing bureaucrats later on in the reign of Andronikos II.

The practice of individual privilege found its full-blown ideological expression in the way in which some panegyrists of Andronikos II interpreted the interrelationship of the emperor, the law, and the virtue of philanthropy. A few introductory remarks are necessary at this point. The late Byzantine panegyrists were quite fond of commenting on the stance of the emperor vis-à-vis the law. Their comments went beyond observing the "legal rule" (*ennomos epistasia* or *basileia*) of the emperor, which was sometimes contrasted to the illegitimate and hence tyrannical government of foreign sovereigns.[30] The orators tended to praise the emperor lavishly for being an autocrat not bound to the law, and noted that his good judgment was sufficient for establishing justice in the state.[31] There were, however, important nuances in the speeches given in Nicaea and under the early Palaiologoi. In his panegyric in praise of Vatatzes, Theodore II Laskaris was keen to stress that the emperor was punctilious (*akribodikaios*) in enforcing the principle of justice. By so doing Vatatzes cut off with the "scraper of truth" the harmful breed of evil men from the body politic.[32]

[28] Choumnos, AG, vol. 2, 43: ἐντεῦθεν οὐ πλοῦτος δίκαιος ἐξ ἀδικίας ἐπιβεβούλευται· οὐ πενία κακοῦργος τοῖς ἔχουσιν ἐπιφύεται.

[29] Cod. Vindob. phil. gr. 95, f. 157 r. On the practice of "common chrysobulls" for late Byzantine cities, see D. Kyritses, "The 'Common Chrysobulls' of Cities and the Notion of Property in Late Byzantium," *Symmeikta*, 13 (1999), 229–45.

[30] Choniates, *Orationes*, 134.35, 143.18–19; Planoudes, "Basilikos," BSl, 27, (1966), 102.84–87. Choniates made an explicit contrast between the Nicaean emperor and the "tyranny" of David Komnenos of Trebizond.

[31] Theodore II, *Encomio*, 61.399–400 (based on Psalm 118:75); see below n. 33 and 34 with reference to the speeches of Choumnos, Metochites, and Lampenos.

[32] Theodore II, *Encomio*, 55.232–34: τίς σε τὸν ἀκριβοδίκαιον ἐθεάσατο τῷ σθλεγκίστρῳ τῆς ἀληθείας ἐκτέμνοντα τὰς παραφυάδας τῶν πονηρῶν. The word σθλέγκιστρον was coined by Laskaris (attested as στλέγκιστρον in one of his letters, *Theodori Ducae Laskaris Epistulae*, no. 206, 258.27). It doubtless is derived from the word στλεγγίς (scraper), probably in combination with the synonymous word ξύστρα – the word pair is regularly attested among Byzantine lexicographers. On Laskaris as a notorious coiner of words see E. Trapp, "The Role of Vocabulary in Byzantine Rhetoric as a Stylistic Device," in E. Jeffreys (ed.), *Rhetoric in Byzantium* (Aldershot, 2003), 141–43.

The main characteristic of this type of imperial justice was its strictness and universality; it was not, however, necessarily a justice based on observation of the law. As we shall see in chapter 7, in his political writings Theodore II Laskaris reasoned that the ruler could disregard the letter of the law if the general welfare of the polity required him to do so.

The ideology of judicial strictness and universality did not take hold in court rhetoric during the thirteenth century. The subject of justice and the emperor's relation to the law reappears in orations addressed to Andronikos II. As usual, the rhetoricians presented Andronikos as an autocrat standing above the law. According to Choumnos and Metochites, the emperor acknowledged only one valid law – his own will.[33] Lampenos wrote that Andronikos II was the law incarnate (*nomos empsychos*), rehashing an old idea about kingship whose origins lie in the Hellenistic period.[34] The rhetoricians were not articulating a vision of unlimited imperial power, however. For one thing, the authors who extolled imperial authority as not bound to the law expressed the converse opinion outside the official context. In his *Miscellanea*, composed in the 1320s when he was Andronikos II's prime minister, Metochites made the opposite statement to the one that he had made in the imperial oration, and pointed out that only tyrants declare their arbitrary will to be law.[35] The statement in the panegyrics of Andronikos II about the ruler's superior position vis-à-vis the law served two purposes. The first was entirely rhetorical. Choumnos and Metochites turned the emperor's independence from the law into a premise for a panegyrical argument about his virtuous character. For, according to them, an emperor free to break the law had a license to do anything he willed, yet Andronikos II's exceedingly strong sense of moderation restrained him from doing so.

The second reason why the rhetoricians presented Andronikos II as a ruler standing above the law is more significant for the purposes of the

[33] Choumnos, AG, vol. 2, 39; Metochites, Cod. Vindob. phil. gr. 95, f. 91 r.

[34] Lampenos, *Encomium*, 52.30. On the Hellenistic origins and the medieval (Western and Byzantine) echoes of the king as the law incarnate, see A. Steinwenter, "ΝΟΜΟΣ ΕΜΨΥΧΟΣ. Zur Geschichte einer politischen Theorie," *Anzeiger der Wissenschaften in Wien. Philosophisch-historische Klasse*, 20 (1946), 251–68; Goodenough, "The Political Philosophy of Hellenistic Kingship," 63 ff. In the early fifteenth century John Chortasmenos also presented the emperor as the law incarnate. See H. Hunger, *Johannes Chortasmenos (ca.1370–ca.1436/37). Briefe, Gedichte und kleine Schriften* (Vienna, 1969), 221.163.

[35] Metochites, *Miscellanea*, ch. 98, 637. See also Thomas Magistros, *On Kingship*, ch. 20, 65.910–11.

present analysis, since it entailed an interesting theory on the operation of the imperial government. According to the rhetoricians, the virtue of philanthropy guided the ruler in choosing cases in which it was appropriate to break the law. Choumnos and Metochites respectively described Andronikos II's philanthropy as the best kind of illegality and the most legal kind of illegality.[36] The rhetoricians gave as examples of the emperor's admirable illegality his adamant rejection of punishments by mutilation and his release of prisoners – possibly prisoners held on account of Michael VIII's heavy-handed policies against the opponents of the Union of Lyons. The juxtaposition of the ideas of philanthropy, law, and illegality was not an invention of court literati under Andronikos II, but was borrowed from the oratory of Themistius. In his first oration, entitled "On Philanthropy, or Constantius," Themistius described imperial philanthropy as a display of clemency toward people whom the laws punished with the death penalty. Themistius wrote that only a vengeful emperor dispensed punishments in accordance with the law, thus paradoxically committing unlawful acts in a lawful fashion. By contrast, the philanthropic emperor did not apply a harsh law – and in fact he did not have to observe the law at all, because, according to Themistius, the emperor stood above the law and was himself the law incarnate.[37]

The description of Andronikos II's philanthropy was heavily influenced by Themistius' philosophy of philanthropy. The description of how an emperor broke the law, by which he was not constrained in any way, for philanthropic purposes echoes the ideas of the late antique orator. However there was one slight – though significant – difference. Themistius considered the cruelty of a vengeful ruler an unlawful act. By contrast, the panegyrists of Andronikos II referred to the emperor's philanthropic actions as illegalities of the most admirable kind. How did Andronikos break the law by acting philanthropically? The orators noted that the emperor transgressed the civil legislation, such as the laws prescribing punishment by mutilation or imprisonment, while still observing the canons of the

[36] Choumnos, AG, vol. 2, 44: καλλίστην παρανομίαν ἢ καὶ τῶν νόμων ὑψηλοτέραν καὶ λαμπροτέραν; Metochites, Cod. Vindob. phil. gr. 95, f. 96 r: παρεῖδε πολιτικοὺς νόμους, ἔνθ' ἄρα τὸ παρανομεῖν ἐννομώτατον. For Lampenos (*Encomium*, 53.1–3), Andronikos II's transgression of the law in the name of philanthropy was an act of divine imitation.

[37] Themistius, Or. 1, 15a–b. This oration, delivered in Ankyra in 347, has been translated into English by G. Downey, "Themistius' First Oration," *Greek, Roman, and Byzantine Studies*, 1 (1958), 49–69, esp. 66: "Therefore the law often destroys a man whom it would have set free if it had been able to make another statement, thus committing unlawful acts in a kind of lawful fashion (ἔννομόν τινα οὐκ οἶδ' ὅπως παρανομίαν παρανομῶν). The ruler who loves humanity [the philanthropic ruler] pardons the letter of the law for its inability to be exact." Themistius (Or. 5, 64b; Or. 8, 118d; Or. 16, 212d) often presented the emperor as the law incarnate.

church.[38] The most detailed description of the praiseworthy, although illegal, actions of Andronikos II is found in Nikephoros Choumnos' imperial oration. Choumnos made a distinction between the emperor's own rights and the rights of his subjects. In his philanthropic actions Andronikos II relinquished some of his own rights (*dikaia*), but did not violate the rights of others. In fact, according to Choumnos, an imperial philanthropy that disregarded the rights of the subjects was harmful.[39] To follow up on this point, the orator argued that the emperor needed to be just, not philanthropic, with respect to the rights of the subjects. Thus Choumnos articulated the legalistic notion of a special sphere of imperial rights, on the one hand, and rights of the subjects, on the other. Philanthropy gave the emperor ideological license to make use of his autocratic powers, yet it also guided him in choosing particular laws to break – laws related to the executive rights of imperial authority. Further on in the speech, Choumnos urged the emperor to avoid punctilious observation of justice (*to akribodikaiōn*) and to cling to the principles of mildness and philanthropy.[40] He explained that this policy cultivated loyalty to the emperor and in particular encouraged autonomous territorial lords, who had broken away in the past from the empire, to reconsider their political status and to take oaths of allegiance to the emperor. This comment is noteworthy on two counts. First, it marks a full reversal of the Nicaean ideal of rigorous and universally applied justice. The emperor attracted new subjects by granting them special and preferential treatment, the nature of which is not explained, yet one may plausibly suppose that the orator had in mind tax privileges (that is, the cession of imperial rights of taxation). Second, Choumnos used hortatory language, outlining a policy before the imperial government and urging the emperor to adhere to it. As we shall see in the following chapter, there were other and more notable cases when panegyrists lobbied the emperor on behalf of public causes.

[38] In Metochites' judgment, Andronikos II was transgressing the civil laws. Lampenos, who mentioned simply that the emperor transgresses the law, specified in another part of the speech that Andronikos II rigorously observed divine law. See Metochites, Cod. Vindob. phil. gr. 95, f. 96 r.; Lampenos, *Encomium*, 52.34–35, 54.10–11.

[39] Choumnos, AG, vol. 2, 44: "You have been giving up many of your own rights through it [through philanthropy], even though you have put aside none of the rights of others, in which case philanthropy is clearly harmful for some people" (πολλὰ τῶν οἰκείων δικαίων ἔχεις ταύτῃ παραχωρῶν, κἂν καὶ μηδὲν τῶν ἀλλοτρίων, ἐν οἷς ἐστι δηλονότι παραβλάπτον τινὰς τὸ φιλάνθρωπον). Further on, the orator again observed that a good and philanthropic emperor did no harm to anyone, but to his own rights.

[40] Ibid., 45: διὰ ταυτὴν καὶ σύ, βασιλεῦ, μὴ πάντα τὸ ἀκριβοδίκαιον περισώζειν ὑπὸ φιλανθρωπίας ἐλεγχόμενος, εὐμενῶς δέχου.

A glance at contemporary sources outside imperial panegyric can help us to see the practical application of the ideology of philanthropic governance. The letters of Gregory of Cyprus, written during the period of his patriarchate (1283–89), and certain critiques of imperial policies shed light on how Andronikos II was breaking the laws and disregarding the rights of the imperial office. In his correspondence with the *mesazon* and grand logothete Theodore Mouzalon (d. 1294), Gregory of Cyprus referred to Andronikos II's philanthropic nature. He used the word philanthropy to describe the emperor's lenience toward a tax collector accused of theft and a tax farmer unable to turn in the requisite tax revenue into the fisc.[41] Here philanthropy meant clemency, and the rights which Andronikos II was giving up were those of the imperial tribunal. In another letter to Mouzalon, Gregory of Cyprus used the word philanthropy to refer to the grants of tax privileges to individuals. This epistle gives insight into how high officials understood imperial philanthropy, and merits closer attention. Writing from Constantinople, Gregory of Cyprus described to Mouzalon how a certain Cypriot had presented himself before Andronikos II in the city of Atramyttion in Asia Minor. The emperor is known to have been in this city in 1284, where he attended a council of reconciliation between the ecclesiastical factions of the Arsenites and Josephites, and it was at this time that the episode in question occurred.[42] The Cypriot had posed as a relative of the patriarch and had petitioned for a *pronoia*, that is, the conditional grant of tax resources from a landed property in exchange for service. In his letter to Mouzalon Gregory of Cyprus stated that he did not know this individual, who was not his relative and who had in fact come from the Balkans, not from Cyprus. But even if the petitioner were his relative, he would not deserve the emperor's philanthropy, for Gregory had more than two hundred poor relatives in Cyprus, and should this privilege be granted, all of them would come to Constantinople in the hope of enjoying the emperor's generosity and philanthropy.[43] Thus, in the epistolary language used by two high-standing officials in the reign of Andronikos II, the emperor's philanthropy meant the grant of tax privilege. The rights which Andronikos II was relinquishing by acting philanthropically were

[41] S. Eustratiades, EPh, 3 (1908), no. 116, 281–82 (the case of the tax official Theologites); ibid., no. 117, 283–84 (the tax farmer Monemvasiotes; see Laurent, *Regestes*, 1520) and no. 118, 284–85, esp. 285.10–11: τεύξεται φιλανθρωπίας ὑπὲρ ὧν δέεται (Mouzalon's response).

[42] Eustratiades, EPh, 4 (1909), no. 136, 22–24. Cf. Laiou, *Constantinople and the Latins*, 34–35. Laurent, *Regestes*, 1476, has dated the letter to the end of 1284.

[43] Eustratiades, EPh, 4 (1909), no. 136, 23: Τί οὖν ἔσται εἰ οὗτοι τὴν ἐφ' ἑνὶ γεγονυῖαν φιλανθρωπίαν ἀκούσονται; οὐκ ἀναστήσονται καὶ δεῦρο ἄλλος ἐπ' ἄλλῳ ἀφίξονται ἐπὶ τῇ τοιαύτῃ τῆς εὐεργεσίας ἐλπίδι; ἐγὼ μὲν οἶμαι τοῦτο, μᾶλλον δὲ καὶ σφόδρα ἐπίσταμαι.

those of imperial fisc. In this type of philanthropy imperial taxation rights were waived for the benefit of an individual subject, the *pronoia*-holder.

The critics of Andronikos II's government also provide valuable clues as to how the emperor was breaking the laws. The historian George Pachymeres, a critical observer of his times, noted that the emperor's mildness caused great harm to the empire – Andronikos II was unwilling to punish military commanders and tax collectors in Asia Minor who delayed paying soldiers their salaries.[44] This opinion shows the reverse side of imperial philanthropy, that is, the negative consequences of the immunity of officials from legal prosecution. In his combative letters to the emperor Patriarch Athanasios I raised the ideal of universally applied justice, quite in contrast to that of lenience and privilege. For example, in an instructive sermon addressed to Andronikos II the patriarch urged him to punish corrupt officials, for the impunity of offenders encouraged other wrongdoers and thus led to the proliferation of injustice.[45] From the viewpoint of Andronikos II's critics, the emperors' clemency associated with the noble social ideal of philanthropy was one of the root causes of the ills of Byzantine society and the fall of Asia Minor. These criticisms can help us to understand the true significance of the idea of the philanthropic emperor so popular in court rhetoric. Philanthropy justified transgression of the law. Ideally, the philanthropic ruler chose intentionally not to implement harsh laws, such as those prescribing capital punishment or punishment by mutilation, in the name of love for humankind. In practice, however, the ideology of imperial philanthropy fostered during Andronikos II's reign meant that the emperor granted a status of impunity to offenders such as tax farmers, who hardly acted for the benefit of humane causes. Furthermore, philanthropy referred to the very heart of the system of privileges: a merciful emperor reached down to individual subjects and granted them a share of state tax resources. The idea of Andronikos II as a philanthropic emperor provided an ideological justification for the government by favoritism and privilege that characterized his disastrous reign.

THE PREAMBLES ON IMPERIAL GOVERNMENT

Preambles to documents of the imperial chancery reveal another side of the rhetoric and ideology of late Byzantine imperial government, and thus

[44] Pachymeres II.iii, 235, esp. 235.20–22: τὸ γὰρ τοῦ βασιλεύοντος εὐσταθὲς καὶ τὸ πρὸς κρίσεις τε καὶ κολάσεις συμπαθητικόν τε καὶ ἥμερον μέγα τι τὸ κακὸν καὶ οὐκ οἰστὸν ὅλως τοῖς παθοῦσιν εἰργάζετο. On Pachymeres' views, see chapter 8, pp. 276 ff.

[45] Gennadios of Helioupolis, *Orthodoxia*, 27 (1952), 177.2–5. On this sermon, see chapter 11, n. 72. Cf. also *Correspondence of Athanasius*, 16.19–20, 18.10–16.

serve to complement the information in imperial panegyrics. As sources, the preambles naturally differ in several ways from the panegyrics. They are relatively brief texts and do not present a rich variety of ideas. Instead, they tend to focus on the virtue of generosity and to engage in an ideological commentary suited for the specific circumstances under which the document was issued. As we have already noted, chrysobulls were not as popular a form of imperial charter in Nicaea as they would become under the Palaiologoi. Therefore they prevent us from studying shifts in ideology during the transition between the Nicaean and the Palaiologan period. Since most surviving chancery documents come from the monastic archives, the majority of extant chrysobulls happen to be imperial privileges to monasteries. Very few chrysobulls – a total of nine for the period 1204–1330 – concern the properties of lay magnates.[46] Only two of these nine chrysobulls actually feature preambles.[47] The absence of preambles in these chrysobulls does not necessarily present an unsurmountable problem. In studying the official charters we need not be restricted to examining the preambles only, but can explore the wording of the section that immediately follows the preamble – the *narratio*, that is, the description of the case.[48]

The preambles are a useful source on government ideology as long as we realize their limitations. They shed unique light on the ideological claims of the imperial office regarding its authority to redistribute state tax resources. In addition, they present the emperor's ideological stance vis-à-vis individual recipients of economic privilege. The preambles can be classed

[46] (1) Michael VIII's chrysobull of 1280–1281 for the *protovestiarites* Demetrios Mourinos; see *Docheiariou*, no. 9; Dölger, *Regesten*, 2357 (dated to ca. 1315); (2) Andronikos II's chrysobull of 1289 for the *pansebastos sebastos* Theodore Nomikopoulos; see F. Dölger, "Ein Chrysobull des Kaisers Andronikos II. für Theodoros Nomikopoulos aus dem Jahre 1288," *PARASPORA* (Ettal, 1961), 189–93; Dölger, *Regesten*, 2128 (on its date, see table 1, p. 37, n. 2); (3) Andronikos II's chrysobull of 1293 for the imperial *oikeios* Leon Koteanitzes; see Chilandar, no. 12; Dölger, *Regesten*, 2155 (contrary to Dölger's view, the document is now considered to be authentic); (4) Andronikos II's chrysobull *sigillion* of 1307 for the *pansebastos sebastos*, *oikeios* and *krites tou phossatou* Alexios Diplovatatzes; see Guillou, *Ménécée*, no. 2; Dölger, *Regesten*, 2307; (5) Andronikos II's chrysobull *sigillion* of 1313 for the imperial *oikeios* and *hetaireiarches* John Panaretos; see Guillou, *Ménécée*, no. 6; Dölger, *Regesten*, 2345; (6) Michael IX's chrysobull of 1316 on behalf of his half-brother Theodore Palaiologos of Montferrat, in F. Cognasso, "Una crisobolla di Michele IX Paleologo per Teodoro I di Monferrato," *Studi bizantini*, 2 (1927), 46–47; Dölger, *Regesten*, 2630; (7) Andronikos II's chrysobull of 1318 for the imperial *oikeios* George Troulenos; see Guillou, *Ménécée*, no. 8; Dölger, *Regesten*, 2407; (8) Andronikos II's chrysobull of 1323 on behalf of the *pansebastos sebastos* and *oikeios* John Orestes; see Vatopedi, no. 60; Dölger, *Regesten*, 2496; (9) Andronikos II's chrysobull of 1324 for the imperial *oikeios* Dragon; see Chilandar, ed. Petit, no. 96; Dölger, *Regesten*, 2505.

[47] These are Michael VIII's chrysobull granted to the *protovestiarites* Demetrios Mourinos and Andronikos II's chrysobull granted to Theodore Nomikopoulos.

[48] On the *narratio*, see F. Dölger and I. Karayannopulos, *Byzantinische Urkundenlehre* (Munich, 1968), 49.

in two groups, depending on whom they present as the initiator of the privilege: the first group depicts the ruler in an active role,[49] while the second has the emperor in the responsive role of a recipient of a petition.[50] The same chrysobull sometimes contains contradictory images of the emperor as both the initiator for issuing the document and a passive responder to a petition. This is the case of Andronikos III's chrysobull for the Athonite monastery of Lavra issued in 1329. While the preamble mentions that the emperor was motivated by his habitual generosity, the *narratio* explicitly refers to the fact that the monks had made an appeal.[51] The reason for this incongruity between the preamble and the text that follows may have been the use of an inadequate model preamble or, most likely, the propagandist agenda of portraying the emperor as a sovereign who makes his own independent decisions.

The preambles voice a powerful imperial claim of supreme discretionary right over the entire landed wealth and economic resources of the empire. This absolutist claim is buttressed rhetorically with the help of the tenets of the imperial idea. The claim is implicitly present in several model preambles published by Hunger, bearing the title, "A general *prooimion* for any imperial donation."[52] These model preambles make a strong ideological statement about the generosity of the emperor, which is not responsive or conditioned by any human factor. An imitator of God, the emperor waters his subjects with rivers of generosity or warms them with rays of munificence. The sources of this generosity are never mentioned, yet one can hardly doubt that the emperor distributed the tax wealth of the empire. An interesting example of the claim of the imperial office of supreme economic overlordship in the state is found in a model preamble of the fourteenth century. As its title specifies, the preamble refers to the case of an imperial donation to an ecclesiastical proprietor, most probably a monastery, of a resource which in the past the emperor had granted to other clerics. The preamble hints that the emperor was repeating the same type of benefaction rather than regranting a confiscated ecclesiastical property to another

[49] See, for example, Lavra II, no. 71 (an. 1259, Dölger, *Regesten*, 1866); Lavra II, no. 89 (an. 1298, Dölger, *Regesten*, 2208); Chilandar, no. 17 (an. 1299, Dölger, *Regesten*, 2215).

[50] See, for example, MM, vol. 5, 10–13 (an. 1259, Dölger, *Regesten*, 1870); P. Lemerle, "Un chrysobulle d'Andronic II Paléologue pour le monastère de Karakala," *Bulletin de correspondance hellénique*, 60 (1936), 428–46 (an. 1294, Dölger, *Regesten*, 2169); P. Alexander, "A Chrysobull of the Emperor Andronikos II Palaeologus in Favor of the See of Kanina in Albania," B, 15 (1940–41), 167–207 (an. 1307, Dölger, *Regesten*, 2305); Xenophon no. 17 (an. 1322, Dölger, *Regesten*, 2473).

[51] Lavra III, no. 118.48–49: βασιλεία μου οἴκοθεν καὶ ἀπὸ φύσεὡς ἐστιν ὡρμημένη (Dölger, *Regesten*, 2733).

[52] Hunger, *Prooimion*, nos. 10–15, 228–38.

proprietor.[53] The preamble opens with the statement that God, of whom the emperor is an imitator, is generous not to everyone, but to those with whom He is pleased and when He is pleased. It is also stated that God has the habit of granting the same gift of the Holy Spirit to different people: first to Moses, then to Joshua, and afterward to seventy other prophets during the Jewish interregnum. The apostles Peter and Paul, and other Christian holy men also were beneficiaries of the divine blessing of the Holy Spirit. This extended comparison between God and the emperor had one practical aim, namely to justify the autocratic claim of the emperor to choose both the recipient and the occasion when to make an economic grant.

In one exceptional case legalistic phraseology also entered the text of an imperial preamble in order to voice the emperor's claim of a supreme proprietary right over the taxable territory of the empire. The preamble in question opens Andronikos II's chrysobull of March 1289 which grants tax exemptions to the villages and estates belonging to the Eleousa monastery near the town of Phanarion in Thessaly – a fringe area of the empire hotly contested between Constantinople and independent Greek lords.[54] The Eleousa monastery had recently received these properties as a gift from its foundress Hypomone, the widow of the ruler of Thessaly, *sebastokrator* John I Doukas (d. ca. 1289). On her husband's death the widow approached the emperor Andronikos II, her cousin, and procured the chrysobull. The preamble begins by stating the importance of the virtue of recognizing "the truth," and portrays the petitioner as having acknowledged the legal right (*dikaioma*) granted by God to the imperial office, a right which was "known by everyone on earth."[55] Further on in the document, the meaning of this right of the crown is explained: no subject, whether layman or ecclesiastic, enjoyed security of private ownership unless this ownership was validated by imperial ordinances.[56] Thus the imperial office claimed entitlement to confirm the legality of private property holding. The preamble tied this

[53] The model preamble is to be found in H. Hunger, *Prooimion*, no. 5, 222. A section of the text (222.16–17) suggests that the preamble does not apply to the regranting of a confiscated resource.

[54] MM, vol. 5, 253–56; Dölger, *Regesten*, 2131. See D. Nicol, *The Despotate of Epiros 1267–1479. A Contribution to the History of Greece in the Middle Ages* (Cambridge, 1984), 35–36.

[55] MM, vol. 5, 254.7–8: "For this great right accorded by God to the imperial majesty is known by everyone on earth" (τὸ γὰρ προσὸν ἀπὸ θεοῦ τῇ βασιλείᾳ δικαίωμα μέγα μὲν ἐν τοῖς κατὰ γῆν γνωρίζεται ἅπασιν).

[56] Ibid., 254.33–255.1: "Recognizing well the right of the imperial majesty and that it is impossible to get secure possession of one's belongings, neither any sort of property in worldly life nor a monastic abode, unless imperial ordinances bestow validity on them" (Τὸ τῆς βασιλείας καλῶς ἐπεγνωκυῖα δικαίωμα, καὶ ὡς οὐκ ἔστιν ἐν βεβαίῳ τὴν τῶν προσόντων ἀποφέρεσθαι κτῆσιν, οὔτε μὴν καθ' ἕνα τῶν ἐν βίῳ, οὔτε μοναστῶν καταγώγιον, εἰ μὴ τὸ κῦρος ἐπιθείη τούτοις βασιλικὰ διατάγματα).

imperial prerogative to the historical fortunes of the empire. According to the document, the authority of the imperial office to validate property holding had been even greater before 1204.[57] The Latin conquest of Constantinople dealt a blow to the powers of the emperor, but after the recapture of the city of New Rome the imperial office was restored to its full glory. The reconquest of Constantinople in 1261 was thus advertised as conferring on the emperor supreme right over lands which had been centrally administered before the arrival of the Latins. In the process of reconquest of former Byzantine territories, the emperor claimed a "historical" right of *dominium directum* – the right of sanctioning the legal legitimacy of privately held properties. Indeed, this preamble supports the arguments of Alexander Kazhdan that in Byzantium the state enjoyed the supreme right of ownership over the lands tilled by the subjects – a right of the state which existed simultaneously with the principle of private property holding enshrined in law and with notions of feudal rights.[58]

The autocratic economic claims of the emperor do not tell, however, the entire story of the ideology of late Byzantine imperial government. In its extreme quasi-legalistic form (found in the chrysobull of March 1289), this claim is without parallel in the documentary evidence of the period and appears to be connected to the fact that Thessaly was a fringe area of the empire. In this case the central government needed to stress particularly forcefully its supreme rights over borderlands that had only recently been reincorporated into Byzantium.[59] Most importantly, the claims of extensive economic rights of the state existed side by side in the documentary evidence with ideological notions of a less absolutist kind. A number of preambles, especially preambles to privileges issued in response to petitions, present the ideological position of the emperor with respect to individual subjects. These preambles state usually that the emperor who showers with generosity all his subjects has decided in the particular case to be openhanded to an individual petitioner, having been moved by his virtue.[60] If the petitioner were a bishop or a monastery, it was his piety and love of God which

[57] Ibid., 254.11–12: Τοῦτο δὴ τὸ τῆς ἀρχῆς τῆς ἡμετέρας δικαίωμα καὶ εἰς μεῖζον μὲν ἦν διηρμένον τὰ πρότερα.

[58] A. Kazhdan, "State, Feudal, and Private Economy in Byzantium," DOP, 47 (1993), 95 ff.; A. Kazhdan and A. Epstein, *Change in Byzantine Culture in the Eleventh and Twelfth Centuries* (Berkeley, 1975), 17–18.

[59] Kyritses, "The 'Common Chrysobulls' of Cities," has concluded that the process of reconquest of territories in the Balkans by Nicaea and the Palaiologoi enhanced the claims of the imperial office to exercise supreme economic control over the lands of the empire.

[60] See Andronikos II's chrysobull of 1322 for the monastery of Xenophon, no. 17.1: παντὶ τῷ αἰτοῦντι διδόναι, πᾶσιν ὁ τοῦ Κυρίου θεῖος διαγορεύει λόγος (Matthew 5:42) (Dölger, *Regesten* 2473).

made the emperor act generously. Exceedingly often the preambles mention the loyalty of the recipient of the privilege as the virtue that prompted the emperor to issue the document. Notions of loyalty and fidelity to the emperor appear occasionally in imperial chrysobulls during the late eleventh and the twelfth century.[61] These notions become more common after 1204 and create the impression that the emperor was committing to a bilateral relationship by issuing the privilege. Different words were used to describe the loyalty of the beneficiary toward the emperor: *eunoia, eugnomosyne, pistis, hypolepsis*, or *asphalestate gnome*. Analyzing specific documents can be instructive.

A chrysobull issued in 1259 by Michael VIII on behalf of the monastery of Nea Mone on the island of Chios is an example of how preambles presented the loyalty of the recipient as a motive for the emperor to issue a privilege. According to the preamble and the *narratio* of the document, the abbot of the monastery of Nea Mone had overheard the rumor of the generosity of the new emperor and had hurried to ask for a chrysobull. Having taken into account the loyalty of the monastery and its abbot to imperial authority, Michael VIII proceeded to issue the document.[62] Another preamble – opening a chrysobull issued in 1310 by the co-emperor Michael IX on behalf of the predominantly Georgian monastery of Iviron on Mount Athos – describes the virtues of individual subjects which are most likely to make the emperor respond favorably to a petition: their loyalty (*eunoia*) toward the ruler, the military exploits of soldiers, and counsels offered for the good of the polity.[63] The mention of loyalty is, of course, highly noteworthy. Preambles to imperial documents granted to outlying cities in the Balkans explicitly refer to the loyalty of the urban classes as a reason why the all-powerful emperor decided to issue a privilege.[64]

Notions of loyalty and reciprocity figure prominently in the few surviving chrysobulls granted to lay proprietors. The chrysobull of April 1289 on behalf of the *pansebastos sebastos* Theodore Nomikopoulos, a local grandee from the Peloponnese, is a case in point. This Nomikopoulos was the lord of the village of Kranidion in the northeastern Peloponnese and of some vineyards outside the village, in an area which at the time was outside the taxable land of the empire. Surrounded by Latin lords, he professed his allegiance to the Byzantine emperor and asked for a privilege. The imperial chrysobull issued in response to his petition opens with a brief, though telling, line from the Old Testament: "You have turned to me and I will turn to you."[65] The document presents Nomikopoulos as a man who had acknowledged the "natural and God-given power" of the emperor. In return, the emperor confirmed Nomikopoulos in full possession of the village, which the local lord could bequeath to his children. At the same time he was obligated to perform service (*douleia*) to the emperor. Other imperial chrysobulls granted to individuals also emphasize the personal loyalty of these men to the emperor. In all cases the imperial charters made grants of properties in full hereditary and tax-exempt possession or confirmed donations that had already been made.[66]

The image of the emperor as dispenser of economic resources was always that of a superior within the reciprocal relationship with loyal individuals. The period of the First Civil War (1321–28) between the two rival emperors Andronikos II the Elder and Andronikos III the Younger saw a shift in the presentation of the reciprocal relationship, a shift that is most evident in two preambles composed by the literatus and historian Nikephoros Gregoras.[67]

[61] Cf. A. Laiou, "The Emperor's Word: Chrysobulls, Oaths and Synallagmatic Relations in Byzantium (11th–12th c.)," TM, 14 (2002) (*Mélanges Gilbert Dagron*), 355–57.

[62] MM, vol. 5, 10, where the virtues of εὔνοια and εὐγνωμοσύνη of the abbot are stressed. See also Andronikos III's chrysobull for Lavra (1329), where the loyalty of the monks during the First Civil War is mentioned, Lavra III, no. 118.65–66: τὴν αὐτῶν περὶ τὴν βασιλείαν μου καὶ ἀκραιφνῆ καὶ ἄδολον εὔνοιαν.

[63] Iviron III, no. 72.12–14: εὔνοιαν τῶν δεομένων, πράξεις ἀρεϊκὰς καὶ βουλὰς εὐστόχους τῷ κοινῷ λυσιτελούσας ἀπαριθμοῦντα καὶ καλῶς αὐτῶν ἑκάστῳ κρίνοντα καὶ διανέμοντά γε τὰς ἀμοιβὰς (Dölger, *Regesten*, 2626).

[64] See the cases of Monemvasia and Ioannina: S. Binon, "L'histoire et la légende de deux chrysobulles d'Andronic II Paléologue en faveur de Monembasie: Macaire ou Phrantzès?" EO, 37 (1938), 306.20–307.26; MM, vol. 5, 79.14: μετ' εὐνοίας ἀκραιφνοῦς (Dölger, *Regesten*, 2237, 2412).

[65] Dölger, "Ein Chrysobull des Kaisers Andronikos II," 192.1: ἐπεστράφητε πρός με καὶ ἐπιστραφήσομαι πρὸς ὑμᾶς. The reference is to Zechariah 1:3 and Malachi 3:7 rather than Joel 2:12–13 and I Peter 2:25, as Dölger has noted. In a letter to the *mesazon* Theodore Mouzalon which is contemporary with the chrysobull, Gregory of Cyprus lobbied that privileges be issued to Peloponnesians in the area of Arcadia. He reasoned that these privileges should help reincorporate the entire Peloponnese into the empire. See Eustratiades, EPh, 5 (1910), no. 181, 348–49.

[66] In 1280 or 1281 Michael VIII confirmed by a chrysobull the tax-exempt donations of properties in Paphlagonia and Macedonia to his loyal *protovestiarites* Demetrios Mourinos. See Docheiariou, no. 9.12: εὔνοια. In 1293 Andronikos II donated to Leon Koteanitzes the tax-exempt estate of Preasnitza near Strumitza in Macedonia. See Chilandar, no. 12, 147.1–2: τὴν πρὸς τὴν βασιλείαν μου πίστιν καὶ ὑπόληψιν αὐτοῦ ἀκραιφνῆ (not in the preamble, but in the *narratio*). On the Serbian aristocratic family Koteanitzes, which vacillated in its allegiances between Constantinople and the Serbian kingdom, see L. Maksimović, "Kotanić Tornik," ZRVI, 29–30 (1991), 183–91. In 1324 Andronikos II granted an estate along the Strymon river near Serres to his *oikeios* Dragon, again in full possession and with full tax exemption. See Chilandar, ed. Petit, no. 96, 203.9: διὰ τὴν ὀρθὴν αὐτοῦ γνώμην καὶ ὑπόληψιν (in the *narratio*).

[67] The preambles are found in Vatic. gr. 1086, ff. 216 v.–217 v., 235 r.–v., and are published with an English translation in the appendix to this chapter. The content of the Vaticanus has been described by R. Guilland, *Essai sur Nicéphore Grégoras: l'homme et l'oeuvre* (Paris, 1926), XXI–XXIV. Folio 212 r.–v. of the same manuscript contains a formulary of an appeal to the emperor, apparently for economic privilege.

These two preambles shed important new light on the ideological position of the embattled regime of Andronikos II. We will never be certain whether the imperial chancery ever made use of Gregoras' preambles, but there is internal textual evidence that enables us to date them. Both preambles mention a civil war, undoubtedly the First Civil War, when Gregoras, who was a protégé of the *mesazon* Theodore Metochites, actively supported the regime of Andronikos II and served the emperor as Byzantine envoy to the Serbian court.[68] One can suggest an even more precise historical context for the composition of these preambles. In his historical memoirs John Kantakouzenos reports a curious episode during the First Civil War.[69] In October 1327, before the outbreak of the third and last phase of the internecine conflict, the elder emperor and the *megas logariastes* Kokalas took the initiative to contact their political supporters in Macedonia. Imperial ordinances and letters were sent to the area, but they somehow fell into the hands of the younger emperor.[70] The letters urged the partisans of Andronikos II to ready themselves for a new outbreak of the war with Andronikos III. Kokalas' letter mentioned in particular that former followers of the younger emperor had switched allegiance and now eagerly supported Andronikos II, because they had received from the elder emperor land grants confirmed by chrysobulls.[71] It is likely, therefore, that Gregoras composed the preambles for use in imperial charters of privilege during this last phase of the civil war, when Andronikos II was attempting to lure political supporters for his increasingly unsustainable political cause.

To begin with, the two propagandist pieces portray the emperor by ascribing to him much of the well-known ideological paraphernalia. Andronikos II resembles God and the sun, as he makes rivers of generosity flow indiscriminately on behalf of every single imperial subject. Andronikos II is likened to a judge in an athletic contest, a traditional image of the emperor in contemporary panegyrics, which appears also in one of Gregoras' own

[68] Vat. gr. 1086, f. 217 r.: ταῖς τοῦ παρόντος . . . ἀνωμαλίαις καιροῦ; f. 235 v: ἀλλ᾽ ὁ τοῦ φθόνου κλύδων σφοδρὸς ἀντιπνεύσας κατὰ τῆς ἡμετέρας ἐκείνης γαλήνης.

[69] Kantakouzenos I, 231–39.

[70] The ordinances and letters were addressed to Andronikos Palaiologos, *protovestiarios* and *doux* of the *kephalatikion* of Berat. This episode has been analyzed by U. Bosch, *Kaiser Andronikos III. Palaiologos. Versuch einer Darstellung der byzantinischen Geschichte in den Jahren 1321–1341* (Amsterdam, 1965), 42 ff. See Dölger, *Regesten*, 2579.

[71] Kantakouzenos I, 236.7–11: πάντες γὰρ οἱ μετὰ τοῦ ἐγγόνου τοῦ βασιλέως εὑρισκόμενοι ἄρχοντες καὶ τὰ ἀρχοντόπουλα κατεστάθησαν ὑπὸ τοῦ βασιλέως καὶ τὰς αὐτοῦ εὐεργεσίας ἔχουσι διά τε οἰκονομιῶν διά τε χρυσοβούλλων.

imperial orations.[72] However, these lofty images were mixed with references to the grim political reality. The first preamble mentions that the civil war has tested the loyalty of the subjects and that the recipient of the privilege has remained loyal despite temptations to switch his allegiance.[73] The emperor was rewarding him for his unflinching loyalty in these difficult times – an explicit reference to the reciprocal nature of the privilege. Furthermore, the preamble states that this act of imperial generosity should encourage other people to join the camp of the elder emperor.

The second of Gregoras' preambles opens with a summary formulation of the two contrary views on imperial generosity, with which we are familiar. On the one hand the emperor could be openhanded whenever he wishes and without any practical consideration in mind. This common autocratic view figures in one of Gregoras' panegyrics of Andronikos II.[74] Here he praised, not altogether unsurprisingly, the emperor's arbitrary acts of generosity. On the other hand, according to Gregoras' preamble, the emperor could be generous in response to a stimulus such as the fidelity of an individual subject. Of these two possibilities, the preamble declares that the latter was preferable, because it enabled the emperor to forge a loyal following. Furthermore, the preamble continues that the emperor should not wait for difficult times to test the allegiance of his subjects, but should secure in advance and "borrow," as it were, their loyalty: "the emperors should become debtors to the subjects rather than the subjects to the emperors."[75] The preamble thus presented the loyal actions of the subjects as an economic resource which the emperor borrowed on credit and was obliged to repay. Gregoras turned on its head an autocratic postulate of imperial ideology, namely, that the subjects depended on the emperor's actions for their economic well-being and social welfare. Now the emperor placed himself in the position of a dependent. The competition between the two co-emperors to attract supporters by granting them economic privilege doubtless led Gregoras to arrive at this original ideological formulation. It is possible to see the new formula as an extension – or, more precisely, a reversal – of notions of reciprocity floated in preambles. In the context of Byzantine imperial ideology and political thought, Gregoras' ideas were

[72] Different words, however, were used to express this idea. In one of the preambles (Vatic. gr. 1086, fol. 216 v.) Gregoras calls the emperor ἀθλοθέτης. In an imperial oration Gregoras compares the emperor to the chief judge at the Olympic games (ἑλλανοδίκης).

[73] Vatic. gr. 1086, f. 217 r. See preamble I in the appendix below, p. 156. 30–35.

[74] Gregoras I, 341.8–16. Cf. above, n. 8.

[75] Vatic. gr. 1086, f. 235 r. See preamble II in the appendix below, p. 157. 14–16.

highly unusual. Byzantine mirrors of princes, such as those of Agapetos the Deacon (sixth century) and Pseudo-Basil (ninth century), explicitly warned that the generous acts of the emperor should never place him in the inferior position of being a debtor to individual subjects.[76] Gregoras evidently realized how novel his ideas were. After stating that the emperor should become a debtor to his subjects, whose loyalty he needed so much, he added that "the nature of public affairs" had been reversed.[77] Gregoras' assumption appears to have been that new times mandated new ideas. Although expressed through the traditional conceptual vocabulary of the *Kaiseridee*, these new ideas reflected the lower ideological status of imperial authority during the period of the First Civil War.

The rhetoric of Byzantine imperial government in the thirteenth and the early fourteenth century presents a complex picture of the coexistence of different, sometimes contradictory, ideas. Late Byzantium doubtless maintained the ideology of strong state power – an ideology that availed itself of the conceptual language of the *Kaiseridee* and in particular of ideas of generosity, sacral kingship, and sun mimicry. The ideology of government was doubtless the ideology of a tax-gathering and wealth-distributing state – the ceaseless generosity of the emperor touted by the preambles naturally presupposed a constant source of revenue which the periodic inflow of taxes provided. The reconquest of territories during the westward expansion of the empire into Balkan areas during the thirteenth century, from the 1240s onward, put the imperial office in the position of reconfirming the legal status of private property holding and further buttressed the autocratic ideological claims of the ruler. This autocratic ideology manifested itself also in the propagandist idea that the emperor faced no legal limitations to his actions and policies.

The ideology of imperial government saw shifts over time, especially in the transition between the Laskarids and the Palaiologoi. Nicaean imperial rhetoric laid stress on just tax practices in the countryside and on strict and universally applied justice. In the late thirteenth and the early fourteenth century, orators at the court of Andronikos II enunciated a remarkable ideology of legal and economic privilege. They presented a lofty portrait of a powerful and philanthropic emperor standing above civil law, who

[76] Agapetos the Deacon, 60, ch. 50; Pseudo-Basil, 70, ch. 57. It is noteworthy that Gregoras used the same word for "debtor" (χρεώστης) as that found in the "mirror of princes" of Pseudo-Basil. For a discussion of ideas of the emperor's economic behavior in the mirrors of princes, see chapter 6, pp. 194–95.

[77] Vat. gr. 1086, f. 235 r. See preamble II in the appendix below, p. 157, 16–17.

broke the law for the benefit of individual subjects. Most importantly, documents of privilege paint an image of imperial authority that is strikingly non-authoritarian. An ideological development particular to the early Palaiologoi was the rise to prominence of ideas of reciprocity. The emperor and an individual subject were tied together in a bilateral relationship, in which the superior party, that is, the emperor, granted economic privilege to the inferior one in exchange for loyalty and service. The ideological stance of the emperor in this bilateral relationship fell to its lowest point in the period of the First Civil War. One should not, however, interpret the more humble image of the emperor as a true ideological alternative. The notion of reciprocity between the emperor and the subjects did not counter or diminish the ideology of strong central power. Rather, this notion accompanied and was superimposed upon the traditional ideology of a tax-gathering state. It was in this mixed fashion that the social and political realities of late Byzantine politics left a visible trace on the rhetoric of government.

APPENDIX: TWO PREAMBLES BY NIKEPHOROS GREGORAS

Cod Vat. gr. 1086, ff. 216 v.– 217 v. and 235 r.–v.

Preamble I

(f. 216 v.)

Προοίμιον χρυσοβούλλου

Πολλῶν ὄντων ὁπόσα τὴν βασιλείαν κοσμεῖ καὶ ὥσπερ ἀπὸ σκοπιᾶς ἐναργῆ καὶ περιφανῆ τὰ σύμβολα τοῖς προσέχειν ἐθέλουσι δίδωσιν, οὐδὲν οὕτω λαμπρὰν αὐτὴν ἀποδείκνυσιν – οὔτε στολὴ περιπόρφυρος, οὔτε λίθος ἥδιστον ἀποστίλβων, οὔτ᾽ ἄλλο τι τῶν ὁμοίαν ἐχόντων τὴν τέρψιν – ὡς εὐποιΐα καὶ χάρις ἀξίαν καὶ δικαίαν προβαλλομένη τὴν πρὸς τοὺς ὑπηκόους διανομήν. τοῦτο γὰρ εὐθὺς μιμητὴν Θεοῦ *δι᾽ ἑνός γέ του τρόπου*[78] καθίστησιν, ἔργον αἰώνιον ἔχοντος εὐεργετεῖν κοινῇ καὶ καθέκαστα πᾶσαν τὴν κτίσιν καὶ ἅμα πολλὴν καὶ ποικίλην τὴν τῶν καλῶν ἐπίδοσιν, ῥᾷστα πρὸς τὰ πολιτικὰ παρέχεται πράγματα, ἀντιφιλοτιμουμένων ἑκάστων ὥσπερ ἐν ἀθλητικοῖς διαύλοις καὶ δρόμοις πρῶτον αὐτόν τινα τὸν τῆς ἀντιδόσεως εἰληφέναι στεφάνον πρὸς τοῦ ἀθλοθέτου καὶ δικαίως τὰ ἔπαθλα διανέμοντος βασιλέως· συμβαίνει γὰρ ἐντεῦθεν ὥσπερ

[78] Cf. Gregoras II, 811.9.

ἀπὸ μιᾶς εἰς πολλὰ σχιζομένης πηγῆς πολλαπλοῦς καὶ ποικίλους ἐκπορεύεσθαι καὶ ἀποβλύζειν τοὺς τῶν ἀγαθῶν ῥύακας, καὶ οἷον πολύχουν καὶ εὔκαρπον (f. 217 r.) φαίνεσθαι τὸ τοῦ κέρδους γεώργιον· ὥσπερ γὰρ ἐξ αἰθέρος ὁ κοσμικὸς οὗτος ἥλιος μονοειδεῖς μὲν καὶ ἁπλᾶς τὰς ἀκτῖνας τῷ ἀέρι καὶ τῇ γῇ παραπέμπων παντοδαπὰς καὶ ποικίλας τίκτεσθαι δίδωσι τὰς τῆς γενέσεως ἀφορμάς, οὕτω καὶ τὸ τῆς βασιλικῆς εὐεργεσίας φιλότιμον πρὸς τοὺς ὑπηκόους διαχεόμενον ποικίλην ἀρετῆς ἰδέαν ἐργάζεται· διεγείρει γὰρ εὐχερῶς τοὺς μὲν πρὸς εὐδοκίμησιν λόγων, τοὺς δὲ πρὸς ὅπλα καὶ πόλεμον, τοὺς δὲ πρὸς εὐνομίαν πολιτικήν, καὶ ἄλλον πρὸς ἄλλο καὶ ὁμοίως ἀεί· καὶ οὕτω παντοδαπὸν ὁμοῦ καὶ ὠφελιμώτατον ὕφασμα φᾶναι πολιτείας ἀρίστης οὗτος ὁ τρόπος δημιουργεῖ καὶ πολλῷ τῆς πορφύρας περιφανέστερον ὁμοῦ καὶ βασιλικώτερον· τῶν τοίνυν ἡμετέρων ὑπηκόων τοιαύτην τινὰ τὴν σπουδὴν ἐς τὴν ἡμετέραν ἀρέσκειαν ποιουμένων, οὐδὲ ἡμεῖς ἀφιστάμεθα τοῦ ταῖς προσηκούσαις τούτους ἀμείβεσθαι τιμαῖς τε καὶ δωρεαῖς, ἀλλ' ἔργον ἡγούμεθα καὶ τιθέμεθα σπουδαιότατον· ἐπεὶ δὲ καὶ ὁ δεῖνα ταῖς τοῦ παρόντος καὶ αὐτὸς ἀνωμαλίαις καιροῦ θερμῶς τε καὶ ἐρρωμένως ἑαυτὸν ἀντιστήσας, καὶ καλῶς τὴν ἑαυτοῦ γνώμην τοῖς τοιούτοις παλαίσμασι παραβαλὼν καὶ παρατρίψας καθάπερ βασάνῳ χρυσόν, καὶ πλεῖστα παθὼν καὶ ὑπομείνας τὰ δεινὰ καὶ βίαια ὑπὲρ τῆς πρὸς ἡμᾶς εὐνοίας καὶ πίστεως, ἔδειξε πανταχόθεν ἑαυτὸν δοκιμώτατον ὑπηρέτην, δίκαιον ἀντιμετρηθῆναι τούτῳ καὶ παρ' ἡμῶν τὰς ἀμοιβὰς τῶν βασιλικῶν εὐεργεσιῶν καὶ τιμῶν ἀξίας καὶ προσηκούσας, ἵνα τε τὰ τῆς ἀντιδόσεως ἑκατέρωθεν ἔχοι καλῶς καὶ ἵνα καὶ τοῖς ἄλλοις εἴη τοῦτο (217 v.) λαμπρά τις ὑπόθεσις καὶ ἀφορμὴ πρὸς τὸν ὅμοιον τοῦ καλοῦ παροξύνεσθαι δρόμον, ὥσπερ κἂν προοιμίοις φθάσαντες δεδηλώκαμεν.

Preamble II

(f. 235 r.)

Τοῦ Γρηγορᾶ

Προοίμιον χρυσοβούλλου

Ὄντος ἑκατέρου καλοῦ καὶ δικαίου τοῖς βασιλεῦσι, τούς τε μηδὲν μηδαμῇ πω χάριτος ἄξιον ἐπιδειξαμένους εὐεργεσίαις ἀμείβεσθαι, καὶ οἷς ὑφ' *ἡλίῳ μάρτυρι*[79] καὶ δημοσίοις ὀφθαλμοῖς ἐμφανῆ τὰ σύμβολα προκαταθέσθαι τῆς εὐνοίας γεγένηται, μακρῷ τινι βέλτιον ἔμοιγε φαίνεται εἶναι τὸ δεύτερον· ἐκεῖνο μὲν γὰρ ἀναίτιόν τε καὶ

[79] Cf. Gregoras I, 480.23, III, 293.11.

ἀπροφάσιστον ἔχον τὴν τῆς βασιλικῆς χάριτος γένεσιν, ἀμφισβητησίμους καὶ οὐ μάλα τοι σφόδρα πιστευομένας ἔχει καὶ τὰς τῶν ἐλπίδων γονάς· οἷς δὲ τῶν ὑπηκόων δυσχερῶν ὑποστῆναι πραγμάτων ἐμβρίθειαν ἰδίοις ἀγῶσι τε καὶ παλαίσμασιν ἐξεγένετο, καὶ καθάπερ ἐν χωνευτηρίῳ χρυσὸν οὕτω δὴ καὶ τὸ τῆς γνώμης αὐτῶν πρὸς τὸν δεσπότην ἀκίβδηλον σαφῶς ἐπιδείξασθαι, καὶ τοιούτοις δικαίοις τὴν τοῦ βασιλεύοντος γνώμην προκατασχεῖν, τούτοις οὐκ ἀναμένειν ἔπεισι τὴν ἀπὸ τοῦ χρόνου βάσανον, ἀλλὰ πρόδρομον ἔχειν τὴν ἀνάγκην ἀπαιτοῦσαν βίᾳ καὶ σὺν δίκῃ τὸ δάνειον· ἐνταῦθα γὰρ τοὺς βασιλέας μᾶλλον χρεώστας τοῖς ὑπηκόοις ἔπεισι γίνεσθαι ἢ τοὺς ὑπηκόους αὐτοῖς· καὶ ἀντίστροφον τὴν διάθεσιν ἡ τῶν πραγμάτων κέκτηται φύσις.

Τὸ μὲν γὰρ ἁπλῶς διδόναι, τῆς τῶν ἐνδεχομένων φύσεως ὄν, ἀμφιρρεπεῖς καὶ τὰς τῆς γενέσεως ἔχει κρηπῖδας, τῆς τοῦ δρῶντος θελήσεως μόνης ἁπλῶς ἐξαρτώμενον ἐφ' ἑκάτερα ταλαντευομένης· τὸ δὲ[80] *προϋπηργμένης αἰτίας εὐεργετεῖν οὐ μᾶλλόν γε ὂν τοῦ δρῶντος ἢ τοῦ τὴν αἰτίαν προβεβλημένου*,[81] ἀναγκαίαν ἔχειν εἰκὸς καὶ τὴν τῆς ἀμοιβῆς ἔκτισιν· καὶ δέον ἐν τοῖς τοιούτοις τὸν ἀθλοθέτην καὶ τὴν τοῦ κρίνειν λῆξιν ἀναδεδεγμένον μὴ παρὰ μέλος ᾀδούσας τίθεσθαι τὰς δίκας, ἀλλὰ τὴν ἀδέκαστον ἐφιστῶντα τοῖς δρωμένοις γνώμην, τὸ τῆς δικαιοσύνης οὑτ[ω]σί πως ἀνακρούεσθαι μέλος· μόνος γὰρ ὁ τοιοῦτος οἶδε τρ[όπον ἐ]κ τοῦ ῥᾴστου τήν τε τῶν ἀγαθῶν ἀνδρῶν (f. 235 v.) προθυμίαν ἐς τὸ βέλτιστον παραθήγειν, καὶ αὖ οἷς βαθεῖά τις συντέθραπται μοχθηρία, τούτους δ' – οἷον *ἀφθόγγοις χείλεσι*[82] καὶ μὴ λαλούσῃ διδασκαλίᾳ – τὸ κακόηθες μετατίθεσθαι πείθειν.

Ἐμοὶ μὲν οὖν ἐν περινοίᾳ πάλαι γενομένῳ καὶ θεωρήσαντι τὰ τοῦ βίου πράγματα, *οὐ λίθοις καὶ πλίνθοις τὴν ἐμὴν τειχίζειν ἀσφάλ[ειαν] ἔγνωσται δεῖν*,[83] ἀλ[λὰ σ]ύν γε Θεῷ τὰς τῶν δοκούντων ἀνδρῶν ἀγαθῶν ψυχὰς ἐμαυτῷ κατασκευάζειν οἷον ἔμψυχα φρούρια, τοῦ χρηστοῦ συνειδότος ἐνταῦθα διὰ τῆς τῶν πραγμάτων ἴσως ἀκολουθίας διδασκομένου τὸ βέλτιον· ἀλλ' ὁ τοῦ φθόνου κλύδων σφοδρὸς ἀντιπνεύσας κατὰ τῆς ἡμετέρας ἐκείνης γαλήνης, ἃς ἐπὶ τοῖς φίλοις ἔτρεφον ἐλπίδας, συνεκύκησέ τε καὶ ῥᾷστα ἀνέτρεψε· καὶ τοῦ καιροῦ καλέσαντος, ὥσπερ τῶν ἁμιλλητηρίων τοὺς ἵππους, γνώμ[ης] ποιεῖσθαι ἐπίδειξιν ὅσοι φιλεῖν ἡμᾶς ἰσχυρίζοντο, ἤλεγξε τοὺς πλείους ὁ χρόνος, καθάπερ ἡ βάσανος τὸν χρυσὸν καὶ τὸν ἄργυρον, ὅσοι τὸ κίβδηλον ἔχουσιν ἔμφυτον· καὶ οὓς κατὰ τῶν ἐναντίων ἐνομίζομεν

[80] supra lineam πάσης (?). [81] Cf. Gregoras I, 341.15–16.
[82] Cf. Gregoras II, 923.22, 964.13. [83] Cf. Gregoras II, 600.24–601.1; Isaiah 24:23.

ἔχειν προασπιστὰς καὶ συμμάχους, οὗτοι συχνὰ καὶ ποικίλα καθ' ἡμῶν ἐμηχανήσαντο δίκτυα· ἐπεὶ δ' ἔδοξε τῷ Θεῷ τὴν μὲν κακίαν ἐλέγξαι, τοῖς δ' ἀδικουμένοις ἡμῖν βοηθείας χαρίσασθαι χεῖρα, καὶ σεσώσμεθα λοιπὸν περιγενόμενοί τε καὶ ἀναίμακτον στήσαντες τρόπαιον κατὰ τῶν βασκάνων· ἀλλὰ χρεὼν ἐνταυθοῖ γενομένους σιγῇ παριέναι τὰν μέσῳ γνώριμα πᾶσιν ὁμοῦ καταστάντα· ἐπεὶ δέ . . .

TRANSLATION

Preamble I

Preamble of chrysobull

While there are many ornaments which adorn the imperial majesty and give clear and manifest signals, as though from a mountain peak, to those willing to turn their mind to her, nothing reveals her so radiant – neither a most purple garment, nor a precious stone shining forth in sweetest fashion, nor anything else among the things bringing similar delights – as beneficence and favor that distributes worthy and just rewards to the subjects. For this at once establishes [the emperor] by a single characteristic as an imitator of God – [God] whose everlasting work it is to bestow benefactions, in common and for each one individually, on the entire creation and also on the great and diverse outgrowth of good things. Very readily does this provide for political affairs, because, just as in athletic races of shorter and longer distances, each and every individual strives to seize the crown of reward from the referee and emperor who apportions the prizes justly. Hence, therefore, it occurs as when manifold and diverse streams of goods proceed and gush forth from a single source which has split into many, and the crop of profit appears to be yielding much and bearing good fruits. For as this worldly sun which transmits through the ether uniform and simple rays on the sky and the earth gives manifold and diverse causes for generation and birth, so too does the lavishness of imperial beneficence flowing toward the subjects produce diverse kinds of virtue. For it easily rouses some people toward good repute in matters of learning, others toward arms and war, yet others toward civic loyalty to the law, and others toward something else, and always in a similar manner. And this method thus produces a manifold and most beneficial texture, so to speak, of the best polity; and it is by far more splendid, just as it is more imperial, than the [imperial] purple garments. Because our subjects are making this effort to please us, we shall not refrain from recompensing them with fitting honors and gifts, but we consider and reckon this a most excellent task. And because that

individual[84] has set himself ardently and vigorously against the problems of the present times and has well applied and rubbed, like gold on touchstone, his own resolve in the midst of such struggles and has suffered a great deal and undergone terrible and violent tribulations for the sake of loyalty and fidelity toward us, and thus showed himself in every respect a most tested servant, it is just that the recompense through imperial benefactions and fitting dignities of honor be given to him in exchange by us, so that the redress by either side may turn out good and so that this might become a bright basis and incentive for others to be impelled on a similar road of goodness, as we have previously indicated in the preamble.

Preamble II

By Gregoras

Preamble of chrysobull

Although either option is good and just for emperors, namely to recompense with benefactions people who have displayed nothing at all worthy of favor and to recompense those whose clear signs of loyalty have come to be set under the sun as witness and under the public eye, it appears to me that the second option is by far the better one. For that [first] option which involves the procurement of an imperial favor without a cause and pretext has doubtful and not too believable seeds of hope. But for those subjects to whom it was granted to withstand the burden of difficult matters by their own efforts and struggles and to display clearly the unadulterated nature of their resolve with respect to their master, so as gold does in a melting pot, and by such just actions to gain hold in advance of the mind of the emperor, with respect to them it is incumbent not to wait for the touchstone of time, but to have as precursor the necessity which forcefully and justly demands a credit. For in this state of things the emperors should become debtors to the subjects rather the subjects to the emperors. And the nature of public affairs has acquired a reverse disposition.

Simply bestowing gifts, which is by nature a possibility, has a shaky foundation of origin as it depends merely on the will alone of the benefactor, which oscillates in either direction. But bestowing benefactions because of a preexistent cause, which is not so much due to the benefactor as it is to the person who has put forth the cause, is likely to involve a necessary repayment for the recompense. And it is necessary for the referee and the man who has assumed the lot of a judge not to pass sentences sounding out

[84] The name of the recipient of the privilege was to be written in this place.

of tune, but, having fixed his incorruptible mind on the deeds, to strike up in this fashion the music of justice. For only this kind of benefaction knows how to entice in the easiest way the enthusiasm of good men toward better causes and in turn to persuade – as though with speechless lips and by a silent sermon – those accustomed to deep depravity to shed off their ill disposition.

Having considered and reflected on the affairs of life in the past I have recognized that my security should be strengthened not with stones and bricks, but that it is necessary to make ready with God's help the souls of those who appear to be good men as living fortresses for me, for my good judgment has been taught what is perhaps best in these matters by the sequence of events. But the fierce billows of envy having blown against that tranquility of ours utterly confounded and easily overturned the hopes which I nourished on my friends. And when, as with horses bred for battle, opportunity called upon those who contended to be our friends to make display of their opinions, time condemned most of those who have adulteration innate in them, just as touchstone tests gold and silver. And the people whom we were considering our defenders and allies against the enemies contrived frequent and diverse nets against us. But because God resolved to put evil to the proof and to offer a helpful hand to us as we were being wronged, we finally attained salvation having overcome and won a bloodless trophy against the malignant individuals. But after reaching this point we should omit in silence the public events which are commonly known to everyone. Because . . .

CHAPTER 5

The late Byzantine imperial panegyrists as lobbyists

The imperial panegyrists at the Nicaean and the early Palaiologan court successfully fulfilled their main task: the glorification of the personality and policies of the ruling emperor. A rather different issue, which can help us to get a fuller picture of the functions of court oratory in this period, is the role of the panegyrists as lobbyists on behalf of personal and public causes. The context of rhetorical performance after 1204 enabled the orators to assume an active position, because that context was less solemn and bound to the annual cycle of court ceremonial than had been the case in the twelfth century. The lobbying agenda of the orators falls into two distinct categories. First, the rhetoricians used the tribune of imperial panegyric to advance their narrowly individual interests. Further and more importantly, they voiced views on imperial policy, incorporated prescriptive statements in their speeches, and sought to counsel the emperor. In general, the hortatory sections always constitute a relatively brief part of the panegyrics, yet they stand out prominently in the laudatory flow of the text and deserve our attention.

PANEGYRIC AND SELF-PROMOTION

There is no doubt that the panegyrists considered their public performances to be an occasion for showing off their erudition before a highbrow audience. They couched their speeches in a pretentious rhetorical language removed from the spoken speech and filled their works with quotations from classical and biblical texts. The orators often had even more ambitious and concrete goals in mind as they climbed on the public podium – goals of career advancement and personal gain. Evidence for this is the caustic comments made by outside observers, the context of some of the orations delivered by young graduates from the Byzantine system of higher education, and most importantly, authorial remarks which the rhetoricians themselves made.

The most stringent critic of the possibility of favoritism in the relations between the emperor and rhetorical performers at his court was George of Pelagonia, the fourteenth-century author of the *vita*-panegyric of the Nicaean emperor John III Vatatzes. George of Pelagonia mercilessly attacked the Palaiologan dynasty and its governing methods.[1] In the opening part of his work he emphatically dissociated himself from panegyrists who praised a living emperor:

> We did not have private loyalty toward the person whom we now wish to praise in the oration to the best of our abilities, nor did we reckon that we ought to court him as flatterers while he was still alive so that we, too, should receive something in return.[2]

This comment agrees with cases of promotion in the imperial bureaucracy of prominent officials during the late thirteenth and the fourteenth century. Several high imperial functionaries recited imperial panegyrics at the beginning of their careers: the imperial prime ministers (*mesazontes*) Nikephoros Choumnos and Theodore Metochites as well as the historian Nikephoros Gregoras. Metochites and Gregoras as well as Gregory Palamas are known to have first attracted attention to themselves upon completing their higher education during rhetorical recitations at the court.[3]

Self-referential remarks in the imperial orations further testify to the truthfulness of the observation by George of Pelagonia. These remarks may be categorized as three types: expressions of gratitude, individual apologies, and personal appeals. The panegyrists used different rhetorical methods to thank the emperor. Sometimes they were explicit and up-front about their gratitude. This was the case with the imperial orations in praise of Andronikos II by Nikephoros Gregoras in 1322 and by Manuel Gabalas (Matthew of Ephesos) in 1326.[4] In other cases, the expression of gratitude

[1] See chapter 8, pp. 280 ff.

[2] A. Heisenberg, "Kaiser Johannes Batatzes der Barmherzige," BZ, 14 (1905), p. 194.34–37: ἡμῖν δὲ οὔτε εὔνοιά τις ἰδία πρὸς τὸν ἄνδρα ὑπῆρξεν, ὃν τῷ λόγῳ σεμνύνειν κατὰ τὸ ἐνὸν νῦν βουλόμεθα, οὔτε μὴν κόλακος τρόπον ἔτι περιόντα θεραπεύειν δεῖν ἔγνωμεν, ἵνα τι παρ' ἐκείνου καὶ ἡμεῖς ἀντιλάβωμεν. A similar commentary was made by John Sikeliotes (fl. ca. 1000), a prolific commentator on the corpus of Hermogenes. He mentioned in a personal remark that he had once composed an address to the emperor Basil II (978–1025). The speech, however, did not give him or his family any benefit, although they were poor people. Sikeliotes pointed out that obtaining a favor from the emperor was not his intention anyway, since he wanted to demonstrate that one should suffer the burden of knowledge without remuneration. The comments of Sikeliotes are an admission that the panegyrists could expect favors in return. See Walz, *Rhetores Graeci*, vol. 6, 447.24–448.13.

[3] See Introduction, pp. 20–21.

[4] Gregoras wrote an imperial oration (Gregoras I, 340–48) in order to thank Andronikos II for the offer of the office of *chartophylax*. Matthew of Ephesos praised Andronikos II for the philanthropic act of giving him medicine; he also thanked him for sending troops to his own native city, Philadelphia,

was hidden in the laudatory flow of the text, and we may catch a glimpse of it only when we take into account the author's personal circumstances. A good case in point is the first imperial panegyric which the young Theodore Metochites addressed to Andronikos II Palaiologos in 1290. Metochites did not have the best credentials for approaching Andronikos II. At that time he was about twenty years old, and his father George Metochites was a prisoner because of his unremitting support for the ecclesiastical Union of Lyons (1274–82). The panegyric has the hallmark of a youthful work. Metochites followed closely the rhetorical guidelines of Menander, imitated the content of the imperial panegyric of his older contemporary Nikephoros Choumnos, and showed none of the free spirit and ambitious rhetorical posture which marked his second panegyric. Yet here he made a uniquely personal remark. In a section of the panegyric where he praised Andronikos II for his new ecclesiastical policy, he lauded the emperor in passing for not paying attention to the status of one's family and the adversity of one's fortune.[5] This comment, which is absent from all other orations, can be explained only as a reference to the author's own position at the time. Metochites thanked the emperor for understanding his difficult situation as the son of a disgraced man and presented this as a general imperial policy.

An example of a personal apology is found in the panegyric which Gregory of Cyprus addressed to Andronikos II between January and March 1283, shortly after the emperor's accession to the throne in December 1282. Gregory of Cyprus had been a keen supporter and organizer of the Union during the reign of Michael VIII Palaiologos.[6] He was born in Latin-held Cyprus, knew Latin, and was accused by his opponents of being Latin-minded after he ascended to the patriarchate in March 1283.[7] Unlike George Metochites, however, Gregory quickly changed sides after the accession of

which had been on the verge of falling into Turkish hands. See Matthew of Ephesos, Cod. Vindob. theol. gr. 174, ff. 61 v., 63 v.–64 r. In the different context of an imperial epitaph, George Akropolites in 1250 thanked the late emperor John III Vatatzes for having paid the expenses for his education. See Akropolites II, p. 19.17–32.

[5] Metochites, Cod. Vindob. phil. gr. 95, f. 92 r.: ἡ πρὸς τὸ θεῖον αἰδὼς περιφρονεῖ καὶ τὰ σεμνὰ τοῦ γένους καὶ τὴν τῆς τύχης ἔστιν οὗ καὶ ἐφ' ὧν εὔροιαν.

[6] See Pachymeres I.ii, 479, 501. Gregory of Cyprus drafted two important documents pertaining to the Union: a chrysobull of Michael VIII in 1273 and a promise of the officials of the palace in 1277. See V. Laurent and J. Darrouzes, *Dossier grec de l'Union de Lyon (1273–1277)* (Paris, 1976), 315–19. In a letter to the patriarch Gregory of Cyprus, the monk Methodios reminded him of his volte-face in 1282–83. See ibid., 518–27.

[7] The accusation, curiously, came from the camp of the former unionists John Bekkos, Constantine Meliteniotes, and George Metochites. See Pachymeres II.iii, 101.24–28; Gregoras I, 165.14–17; Constantine Meliteniotes, Κωνσταντίνου Μελιτηνιώτου Λόγοι ἀντιρρητικοὶ δύο, ed. M. Orphanos (Athens, 1986), 108; George Metochites, *Dogmatic History*, ed. J. Cozza-Luzi, in A. Mai, *Nova Patrum Bibliotheca*, vol. 8 (Rome, 1871), 191.

Andronikos II in December 1282 and immediately renounced the Union. That he had been a prominent unionist did not in any way harm his election as patriarch. Upon his assumption of the patriarchate Gregory of Cyprus signed a written confession of orthodox faith.[8] In the oration we get a glimpse of his efforts to dissociate himself from his unionist background. After commending Andronikos II for his church policies, Gregory of Cyprus made a confession that in the past "we had made a decision and a covenant not through God and his holy spirit." Then he scoffed at his former associates, specifically at the unionist patriarch John XI Bekkos (1275–82), now an exile in Prousa, whose dogmatic writings had been officially condemned in January 1283. In addition, Gregory of Cyprus called the Latin tongue barbaric, most probably in order to parry accusations of Latin-mindedness made by his enemies in the church.[9]

Finally, the imperial panegyrists appealed to the emperor for personal favors. They could fashion their appeals subtly, as Niketas Choniates did in the imperial oration which he sent to the Nicaean emperor Theodore I Laskaris in late 1206 or early 1207. A former high civil official in Constantinople before the Latin conquest, Choniates had served the Angeloi emperors in the capacity of court rhetorician. He was still a wandering refugee at the time he composed his oration on Theodore I Laskaris, and the work bears witness to the way in which he tried to recommend himself for an office at the newly established court at Nicaea. He incorporated in the panegyric an imaginary speech which Theodore I Laskaris supposedly delivered before the subjects of the rival Greek ruler of Trebizond, David Komnenos (ca. 1204–12). This is the sole fictitious imperial speech tucked into a late Byzantine panegyric. Furthermore, Choniates was careful to point out that the emperor did not actually deliver this speech, but he could have done so.[10] Thus he directed the attention of the audience to his own abilities as a potential propagandist of the nascent Nicaean state. It is not surprising to learn that Choniates became an imperial speech writer several months later, as he settled in Nicaea.[11] The authors could also make their appeals more directly. In his imperial oration written in the ancient Ionic dialect, Gregoras praised the generosity and wisdom of Andronikos II

[8] See A. Papadakis, *Crisis in Byzantium: The Filioque Controversy in the Patriarchate of Gregory II of Cyprus (1283–1289)* (New York, 1983), 35–36 and n. 72.
[9] Pachymeres II.iii, 38–47; Gregory of Cyprus, vol. 142, col. 403A–C, esp. 403A.
[10] Choniates, *Orationes*, 142.32–143.25 (the speech) and esp. 143.26–27: τοιούτοις ἔχων χρήσασθαι ῥήμασι, θεσπέσιε βασιλεῦ, οὐδόλως ἐδικαίωσας χρήσασθαι.
[11] Choniates wrote two speeches which were to be delivered by Theodore I Laskaris at the beginning of Lent. They have been dated to 1207 and 1208. See J.-L. van Dieten, *Niketas Choniates, Erläuterungen zu den Reden und Briefen nebst einer Biographie* (Berlin and New York, 1971), 142, 164.

and, almost in passing, called upon the emperor to be generous in responding to his petitions.[12]

The panegyrists not only promoted their individual interests, but at times described themeselves collectively as a power group at court. Orators throughout the period called their panegyrics a "tribute" which savants customarily rendered the ruler. This idea, which goes back to Isocrates, defined the special relationship of patronage between the emperor and the educated classes.[13] The rhetoricians in the reign of Andronikos II became more confident and upbeat than their predecessors earlier in the thirteenth century. They knew and took pride in the fact that court oratory was flourishing during Andronikos' enlightened rule.[14] They praised the emperor for his patronage of men of learning, sometimes mentioning that they were speaking at the emperor's invitation and with his encouragement.[15] They cast the image of Andronikos II as a reflection of themselves: the emperor became a rhetorician and literatus.[16] They also described themselves as a group which stood apart from the productive members of society. The orator Nikephoros Gregoras contrasted the men of learning who were capable of lauding the emperor with the inarticulate shoe-makers and potters and the mob.[17] They also praised the practitioners of court rhetoric in general, that is, themselves. Gregory of Cyprus called the rhetoricians "good men," and prayed that God might grant the emperor more people of this kind.[18] While the speakers under Andronikos II voiced a certain degree

[12] Gregoras, B, 41 (1971), 514.117–118: ἵλεως δ' εἴης αὐτός μοι, θειότατε βασιλεῦ, οὑτωσὶ σὺν παρρησίῃ σοι προσαγινέοντι τὰς αἰτήσιας. See also ibid., 512.59–60. The nature of Gregoras' requests is unclear from the speech.
[13] Isocratis, *Ad Nicoclem* (Or. 2), 1–2, in *Isocratis orationes*, vol. 1, ed. G. E. Benseler (Leipzig, 1856), 13. (cf. Blemmydes, *Imperial Statue*, chs. 1–2, 44). See Theodore II, *Encomio*, 48.32: φόρος λογικός; Holobolos, *Orationes*, 30.6–17, 49.25, 52.18, 78.5–6, 78.23 (λογικὸς φόρος); Previale, "Un panegirico inedito," 16.6–11; Choumnos, AG, vol. 2, 3: συνεισφέρειν; Metochites, Cod. Vindob. phil. gr. 95, f. 81 v.: εἰσφορά; Metochites, Cod. Vindob. phil. gr. 95, f. 145 v.: μισθός; Lampenos, *Encomium*, 28.19–21.
[14] Gregoras I, 328.9–13, 342.22–343.5; cf. Gregoras, B, 41 (1971), 512.56.
[15] Choumnos, AG, vol. 2, 4; Metochites, Cod. Vindob. phil. gr. 95, f. 157 v.–r. Planoudes, the author of the coronation address to Michael IX in 1294, confessed that he had never delivered an imperial panegyric in his life and that he spoke at the emperor's request. See Planoudes, BSl, 27, (1966), 102.74–80. In a similar vein Lampenos noted the emperor's encouragement and begged his audience for condescension, because he had never given public speeches and was ignorant of the style of Thucydides. See Lampenos, *Encomium*, 27.14–28.3.
[16] Choumnos, AG, vol. 2, 36; Lampenos, *Encomium*, 58.10–19, 59.4–22; Theodore Hyrtakenos, AG, vol. 1, 248. Thomas Magistros noted the rhetorical craft of Andronikos II in his defense speech on behalf of the slandered general Chandrenos. See AG, vol. 2, 191. Nikephoros Gregoras incorporated a rhetorical piece authored by Andronikos II (a speech against his detractors) into the preface to his history. See Gregoras I, 7–12.
[17] Gregoras did so in the preamble to his first oration on Andronikos II. See Paris, Bibl. Nat., Cod. gr. 3040, f. 29 r.
[18] Gregory of Cyprus, PG, vol. 142, col. 416D.

of collective interest in the imperial patronage of men of learning, they never went a step further to solicit common privileges as civil bureaucrats or teachers. The competitive spirit of individual self-promotion which is so manifest in the orations prevented a development in this direction. Thus the panegyrists often mentioned that they were displaying their individual loyalty to the emperor or were repaying a debt.[19] The competitive nature of the rhetorical performances also emerges from the fear voiced by some speakers that they might become a laughing-stock for the audience.[20] The rhetorical performance was by nature a one-man show, a show which could bring both glory and shame to an individual orator.

PANEGYRIC AND PUBLIC COUNSELING

From the viewpoint of Byzantine rhetorical theory, imperial panegyric was by definition different from a counseling speech. Hermogenes and his Byzantine commentators divided oratory into three distinct categories: judicial, counseling or deliberative, and epideictic or panegyrical. It is true that Hermogenes had envisaged an intermediate genre between counseling and panegyrical oratory, that of "political panegyric." Yet the example he used to illustrate this curious mixed speech was archaic and far removed from Byzantine reality and the spirit of Byzantine court oratory.[21] The imperial oration belonged unquestionably to the category of epideictic oratory, the rhetoric of public celebration, not political deliberation and counsel. Orations of counsel have indeed survived from the fourteenth century, although it is significant to observe that they address not an emperor, but either high officials or an urban community.[22] The reason for the conspicuous absence of counseling speeches to the emperor seems to lie in a curious

[19] On expressions of individual loyalty, see Theodore II, *Encomio*, 78.834–835; Jacob of Bulgaria, 83.4–5; Choumnos, AG, vol. 1, 3; Manuel Philes in F. Lehrs and F. Dübner, *Poetae bucolici et didactici* (Paris, 1851), 3; on repaying a debt, see Gregory of Cyprus, PG, vol. 142, col. 348C.

[20] Theodore II, *Encomio*, 48.50–51; Lampenos, *Encomium*, 29.8–9; Hyrtakenos, AG, vol. 1, 248.

[21] Hermogenes spoke of political oratory (λόγος πολιτικός) as consisting of the judicial, the deliberative, and the politically panegyrical (πολιτικὸς πανηγυρικός) oration. An example for political panegyric was the disputation between the Athenians and the Spartans over a common procession after the Persian Wars. According to Hermogenes, the purely panegyrical oration was a class apart and was modeled on Plato's discourse. See Hermogenes, *On Ideas* in *Hermogenis Opera*, ed. H. Rabe (Leipzig, 1913), 380–413, esp. 386.16–387.4, 388.15–389.6 (on political panegyric). Cf. Joseph the Philosopher, *Summation of Rhetoric*, in Walz, *Rhetores Graeci*, vol. 3, 478 ff. On the other hand, the Byzantine prolegomena to the rhetorical corpus spoke simply of the three classical Aristotelian genres of judicial, counseling and panegyrical discourse. See *Prolegomenon Sylloge*, ed. H. Rabe (Leipzig, 1931, repr. 1995), 33–34, 67–68.

[22] Nikephoros Choumnos, Θεσσαλονικεῦσι συμβουλευτικὸς περὶ δικαιοσύνης, AG, vol. 2, 137–187; B. Laourdas, "'Ο 'Συμβουλευτικὸς πρὸς τοὺς Θεσσαλονικεῖς' τοῦ Μανουὴλ Παλαιολόγου," *Makedonika*, 3 (1955), 290–307. Demetrios Kydones addressed two counseling discourses to high

evolution of the genre of imperial panegyric, which during the period began to feature markedly hortatory elements.

As we have observed earlier, there were precedents in Byzantium of the political usage of court oratory. Late antique orations, for example, could – and did – serve as tactful speeches of counsel to the emperor. Beyond the genre of the imperial oration, other types of speech addressed to the ruler are known to have carried a veritable political agenda. The diatribes by the patriarch of Antioch Alexios Oxeites directed at the emperor Alexios I Komnenos (1081–1118) were a recent example of undaunted criticism of imperial policy within an oratorial work.[23] The late Byzantine historians found the inciting and advisory function of court oratory noteworthy enough to mention it in their works. George Akropolites wrote in an autobiographical digression that in autumn 1261, shortly after the recovery of Constantinople from the Latins, he authored a thanksgiving oration, which contained an encomium on Michael VIII Palaiologos and at its end had urged the emperor-usurper to proclaim his son Andronikos co-emperor.[24] John Kantakouzenos attributed another panegyric of a mixed nature to Joseph the Philosopher, the famous compiler of a rhetorical manual which paid particular attention to imperial panegyric. In his description of the events leading to the First Civil War (1321–28), Kantakouzenos wrote that Andronikos II had borne a long-standing grudge against his grandson Andronikos III and therefore had forbidden him to travel beyond the environs of Constantinople. Foreseeing the gathering clouds of conflict in 1319, the younger Andronikos selected Joseph the Philosopher as a mediator.[25] According to Kantakouzenos, Joseph carried out his task by reciting an encomium of Andronikos II, in which he also upbraided the emperor for treating his grandson harshly. Thus laudation and criticism of the emperor coexisted in the body of the same oration.

Probing the panegyrics for independent political opinion can verify the information provided by the historians. A few preliminary considerations are needed at the outset of our discussion. Our limited knowledge of the context and circumstances of performance makes it exceedingly difficult to draw conclusions about the precise message any court orator intended to convey. We lack potentially illuminating information about the atmosphere

officials, one in about 1366 and one in about 1371, in Constantinople at a time when the emperor John V Palaiologos (1341–91) was in Italy. See PG, vol. 154, cols. 961–1008, 1009–39. Cf. F. Tinnefeld, *Demetrios Kydones: Briefe* vol. 1, 1 (Stuttgart, 1981), 65.

[23] See chapter 1, pp. 62–64; P. Gautier, "Diatribes de Jean l'Oxite contre Alexis I^er Comnène," REB, 28 (1970), 19–49. The first diatribe of John Oxeites is entitled as a *logos* and is an oration in its form.

[24] Akropolites I, 188.19–189.8.

[25] Kantakouzenos I, 30.8–12.

and factions at the court, the gestures, grimaces, and emphases of the speakers during delivery, and the response of the audience. Objections against interpreting the panegyrics as political oratory are not difficult to raise. One can construe, for example, the counseling elements as interpolations added by the author after the actual delivery, at the time of publication of the rhetorical work, when an unexpected hindsight or hidden agenda necessitated revision. Such interpolations are impossible to detect, however, as no oration has come down to us in a form which we can be certain is that of its original delivery. All we are left with is the published version of the speech which the author intended to circulate among fellow literati.[26] Another possible objection against construing the advisory and inciting language in the panegyrics as political oratory is the issue of rhetorical posture. Given the spirit of self-promotion permeating the rhetorical performances at the court, one may be led to interpret the hortatory elements in the speeches simply as flourishes devoid of meaning and significance. According to this view, the orators would be posing rhetorically as imperial counselors in order to impress the audience by drawing attention to their competence and erudition. Yet the observations made by contemporary historians on the lobbying use of court oratory take away some of the weight of this view and warrant a serious look at the textual clues. But how are we to study these textual clues? One legitimate approach is to examine the rhetorical methods and strategies by which independent political opinion made its way into panegyric. Three such strategies stand out: the inclusion of a polemic with a fictitious opponent (a "political panegyric" by Hermogenes' definition), the insertion, almost in passing, of arguments, opinions or warnings, and, finally, the use of a rhetorical device that is always difficult to detect, irony.[27] Another investigative approach is to focus on the actual causes and political agendas carried by court oratory. This approach can shed light on the public awareness of the panegyrists.

In most cases, the political agenda of the court orators in the period concerned matters of foreign and military policy. This agenda reflects the deep external problems facing the empire after 1204, as well as the special attention which the genre of imperial panegyric paid to the wartime actions of the emperor. The earliest known example after 1204 of the desire of a rhetorician to influence military policy is the oration of Jacob of Bulgaria.

[26] See chapter 1, n. 166, where Metochites refers to the publication of his two imperial orations, not their oral delivery.

[27] For a discussion of counseling strategies based on the same evidence as the one discussed here, see D. Angelov, "Late Byzantine Imperial Panegyric as Advice Literature (1204–c. 1350)," in E. Jeffreys (ed.), *Rhetoric in Byzantium* (Aldershot, 2003), 55–72.

Jacob composed the work in winter 1252–53 at a time when the Nicaean emperor John III Vatatzes had arrived in the Balkans on a campaign against the autonomous ruler of Epiros Michael II Komnenos Doukas (ca. 1230–67). Jacob called his speech a "victory address."[28] Yet – apart from a vague insult at an unnamed illegitimate ruler – he did not refer at all to the Nicaean–Epirote conflict.[29] The reason for this conspicuous silence seems to lie in Jacob's long-standing personal tie with Epiros and its ruler: he had been the archbishop of Ohrid at the time when his metropolis was under the control of Michael II of Epiros.[30] In fact Jacob hinted at his dislike of the military conflict between Nicaea and Epiros. He outlined the great victories of Vatatzes against the Latins, pointed to the current peace with them, predicted that it would not last for long, and inserted a wish (expressed in the optative) for the emperor to liberate the author's native Peloponnese and central Greece from the Franks.[31] Thus he tried to suggest to Vatatzes a different direction for his campaign.

The counsels of the rhetoricians became bolder and more explicit during the 1290s, at a time when Byzantium's defenses along its eastern frontier collapsed and the remainder of Byzantine Anatolia fell prey to constant Turkish raids and migration. As is well known, Michael VIII Palaiologos was preoccupied with his diplomatic dealings with the West and neglected the economic and military plight of the Byzantine population in Asia Minor. Only in the last two years of his reign (1280–82) did he turn his attention to campaigning in Asia Minor and strengthening its defenses – a policy which his heir, Andronikos II, continued during the early part of his reign.[32] In the period 1290–93 Andronikos II spent three years in Asia Minor, repairing fortifications, building new ones and rousing the fighting spirit of the local population. It was during this period, in 1292 or 1293, that Theodore Metochites delivered his second imperial oration in the city of Nicaea, where the emperor with his entire entourage had taken temporary residence after a wintertime inspection of the Turkish–Byzantine frontier

[28] Jacob of Bulgaria, 88.15–18: Ἰταλικὴ φατρία μετεωρισθεῖσα πρώην συμπέπτωκεν, ἀνθ' ὧν ἐγὼ πανηγυριάρχης γίνομαι σήμερον καὶ συγκροτῶ τῷ θεοστέπτῳ τὸν ἐπινίκιον καὶ νέον ᾆσμα προσφέρω ἐπὶ καινοῖς καὶ παραδόξοις τροπαιουχήμασιν.

[29] Ibid., 91.16–19.

[30] Jacob of Bulgaria was archbishop of Ohrid between 1241 and 1248–50. See chapter 1, n. 137. Akropolites informs us that in 1246 Ohrid was already under the control of Michael II of Epiros, and it continued to be so until 1253, when John III Vatatzes incorporated it into Nicaea. See Akropolites I, 84.19, 92.21–22. It was during the campaign which led to the reconquest of Ohrid that Jacob delivered the speech.

[31] Jacob of Bulgaria, 86.12–15. See also the immediately preceding passage, ibid., 86.10–12, referring to the temporary armistice which the emperor would break to destroy the Latins.

[32] Laiou, *Constantinople and the Latins*, 23–25.

along the river Sangarios. Metochites, then in his early twenties, had already become a member of Andronikos II's close circle, holding the honorific title of logothete *ton agelon*. In the imperial oration he related at length the story of the military enterprises of Andronikos II in Asia Minor, those in the past and the present one, which had begun in 1290. Metochites presented the emperor's efforts to halt the Turkish tide of conquest as long-standing and persistent. The orator also voiced his own views on the dire military situation in the area. After presenting Andronikos II's involvement in campaigns in the East during the reign of his father Michael VIII in the period 1280–82, a time when the empire had divided its resources in order to be able to fight on two fronts (in the Balkans and in Asia Minor), Metochites suddenly interjected a prescriptive statement. He observed that a new division of the empire's military resources, such as that during the reign of Michael VIII, would be detrimental to Byzantium. In his opinion the empire faced a clear-cut dilemma: either to lose both the East and the West, since its limited military resources were inadequate to meet a threat on two fronts, or alternatively "it was by all means necessary" to concentrate all resources on one side, leaving the other part "to follow its fate."[33] In the context of the oration, there is no doubt that the part of the empire to be left to its own devices was the West. In the section of the speech immediately following, Metochites indulged in a moving rhetorical comparison which backed up his urgent call for action. He likened the current situation in the empire to a house, a part of which was burning, while its inhabitants paid attention to a small flicker elsewhere instead of dealing with the raging conflagration, and thus allowed the entire house to be destroyed.

Metochites' subtle suggestion, with all its sense of urgency, is remarkable not only for its awareness of the possibility of Byzantium's fall. The idea of concentrating all resources in the East and ignoring the Balkans was the individual view of Metochites, and not shared by everyone. During his sojourn in Asia Minor Andronikos II did not leave the European part of Byzantium to its own devices. In 1292 Michael Tarchaneiotes Glabas, Andronikos II's general in the Balkans, conducted an ambitious military campaign in Epiros with a significant number of troops – 44,000 according

[33] Metochites, Cod. Vindob. phil. gr. 95, f. 151 r.: "Now the affairs of the Romans lie in shambles and it is impossible to resist on each side. But either they can lose both parts [of the empire, that is, the East and the West], if they are divided with respect to both, for it is impossible for them to [address the situation] on an adequate basis, or it is by all means necessary for them to leave one part to follow in a tolerable manner its fate and to have enough of the difficult connection [of the two parts]" (ἤδη νῦν ἔρρει Ῥωμαίοις τὰ πράγματα, καὶ οὐκ ἔστιν ἀντισχεῖν ἐφ' ἑκάτερα, ἀλλ' ἢ ἀμφότερα μερισθέντας ἀμφότερα διολέσθαι, ὡς οὐκ ἔστιν ἀποχρώντως εἶναι, ἢ πάντως ἀνάγκη θάτερον ἀνεκτῶς καταπροέσθαι πρὸς τὴν τύχην καὶ τὸν χαλεπὸν συνδυασμὸν ἱκανουμένους).

to the exaggerated estimate of the *Chronicle of Morea*. This campaign in the Balkans was memorable enough for a later encomiast of Andronikos II, Nicholas Lampenos (writing between 1296 and 1303), to remember the emperor's stay in Bithynia and the fortification of its frontier as having taken place at a time of great military successes in Epiros and Dalmatia.[34] Metochites, a contemporary of the events, mentioned nothing about this expedition in the Balkans. On the contrary, he favored the transfer of all military resources from the West to the East, so that Byzantium could better face the critical situation in Asia Minor.

In addition to military policy, Metochites sought to give advice on a subject in which he was to become an expert over the years of his public career as he climbed higher on the ladder of the civil service: imperial diplomacy. Thus in the summer of 1294 Metochites was to take part in an embassy to Cilician Armenia. By 1299, he had visited the Serbian court on five different occasions.[35] In his second imperial oration Metochites warned his audience against any diplomatic dealings with the Turks, and referred specifically to those Turkish tribes who lived beyond the lower Sangarios river in the area of Byzantine Paphlagonia, or Turkish Kastamonu. In order to back up his argument Metochites presented a wordy, almost ethnographic account of the society of the Turks. He described them as a nomadic people, with no laws and no polity, living in mountains and ravines. Their political structure was fluid at best, and they lacked stable authority after their centralized state, the sultanate of Konya, had fallen apart.[36] Then the orator proceeded to an argument by antithesis – had the Byzantines been dealing with "a stable polity governed in one single way," diplomacy could lead to a permanent solution of the problem. However, since Turkish society consisted of too many small political entities (i.e., the Turkish emirates), diplomatic interaction with them was of no avail.[37]

[34] Lampenos, *Encomium*, 50–51. The Byzantine soldiers besieged the city of Ioannina, but were forced to withdraw. See *The Chronicle of Morea*, ed. J. Schmitt (London, 1904), 352–68, ll. 8782–9235. Cf. Laiou, *Constantinople and the Latins*, 40 and n. 28; D. Nicol, *The Despotate of Epiros 1267–1479. A Contribution to the History of Greece in the Middle Ages* (Cambridge, 1984), 37–42.

[35] Pachymeres II.iii, 231. See J. Verpeaux, "Le cursus honorum de Théodore Métochite," REB, 18 (1960), 196; Laiou, *Constantinople and the Latins*, 55; I. Ševčenko, "Theodore Metochites, the Chora, and the Intellectual Trends of His Time," in P. Underwood (ed.), *The Kariye Djami*, vol. 4 (New York, 1975), 26–27.

[36] Metochites, Cod. Vindob. phil. gr. 95, f. 154 v.

[37] Metochites, Cod. Vindob. phil. gr. 95, ff. 154 v.–155 r.: Εἶτα τί τις αὐτοῖς χρήσαιτο πρὸς μὲν γὰρ συμβάσεις καὶ ὁμολογίας· τοῦτό ἐστιν ὄντως ἐκεῖθεν Εὐρυβάτου πράγματα, οὐδὲν ἑστώς, οὐδὲ πρὸς βραχὺ κομιδῇ, εὔριπ{π}ός, φασι, ψυχὴ καὶ διάνοια καὶ τρόπος· καὶ πιστεύειν ἔστι μᾶλλον αὔραις οὐχ ἱσταμέναις καὶ πᾶσι μᾶλλον ἤ τι τῆς ἐκείνων φύσεως προσίεσθαι . . . Κἂν μέν τε πρὸς ἑστῶσαν ἦν ἡγεμονίαν ἡ σπουδὴ καὶ ἡρμοσμένην ἑνί γε τῷ δήπου τρόπῳ, οὐδὲν ἂν ἦν πρᾶγμα τέλος εὑρέσθαι. On arguments by antithesis, see Hermogenes' treatise *On Invention* in *Hermogenis Opera*, ed. H. Rabe (Leipzig, 1913), 173–75.

The argument of Metochites is far from being rhetorical nonsense. For one thing, Metochites explicitly articulated the cornerstone of Byzantine diplomacy toward Turkish Asia Minor in the reigns of Michael VIII and Andronikos II, namely that the Mongols of Persia and the Golden Horde, but not the Turkish emirs, were Byzantium's strategic allies.[38] It is also highly probable that Metochites had in mind contemporary events taking place on the eastern side of the Sangarios river, which marked the Byzantine border with the Turks at the time. In the years 1290–92 there was a prospect of Byzantium's alliance with a local ruler, a certain Mansur. Mansur was a son of the Seljuk sultan Izz al-Din Keykaus II (1246–57), a one-time Byzantine ally and political refugee at the court of Michael VIII. A brother of Mansur, the Christian convert Melik Constantine, still resided in Constantinople during the 1290s. With the help of the Mongols, Mansur gained power in Paphlagonia over the local emirs, although he continued to face resistance and requested assistance from Constantinople. The Byzantine historians inform us that Mansur traveled to Constantinople to offer an alliance, an event dateable to 1290–92, but could not meet the emperor, who was in Nymphaion at the time, was persuaded to withdraw his diplomatic proposal, and left for Paphlagonia, where soon afterward he was killed. In his second imperial oration Metochites formulated clearly and logically an argument against this alliance, or at least against a similar sort of alliance with local Turkish emirs.[39]

After Andronikos II returned in 1293 from Asia Minor he was again the addressee of a speech seeking to influence his military policy. This was the imperial oration (*basilikos*) of Maximos Planoudes, delivered a few days after the coronation of Andronikos II's sixteen-year-old son Michael IX Palaiologos as co-emperor, a ceremony which took place on 21 May 1294. A monk and teacher in Constantinople, Planoudes maintained close relations with Andronikos who handpicked him for participation in diplomatic missions. In 1295 he was chosen to take part in an embassy to Cilician Armenia.[40] In 1297 Planoudes was appointed the leader of a Byzantine embassy to Venice,

[38] S. Runciman, "The Ladies of the Mongols," *Εἰς μνήμην Κ. Ἀμάντου* (Athens, 1969), 46–53; Laiou, *Constantinople and the Latins*, 175–77.

[39] E. Zachariadou, "Pachymeres on the 'Amourioi' of Kastamonu," BMGS, 3 (1977), 57–70, has analyzed in detail Mansur's rebellion, crushed by early 1292. See Pachymeres II.iv, 359–361; Gregoras I, 137. On the presence in Constantinople of Melik Constantine, see Pachymeres II.iv, 673–75. Other brothers of Mansur also resided in Byzantium, although their identity is unknown. See E. Zachariadou, "Χριστιανοὶ ἀπόγονοι τοῦ Ἰζζεδὶν Καϊκαοὺς β΄ στὴ Βέρροια," *Makedonika*, 6 (1964–65), 62–74.

[40] *Maximi monachi Planudis epistulae*, ed. M. Treu (Breslau, 1890; repr Amsterdam, 1960), no. 112, 152; no. 114, 159. Planoudes wrote that he never went on the ecclesiastical mission to Cilicia out of fear that his enemies would accuse him of heterodoxy.

doubtless on account of his mastery of the Latin language.[41] Planoudes did not lose the emperor's favor even after his close friend and correspondent, the general Alexios Philanthropenos, rebelled in 1296 and was blinded.[42] We have remarkably detailed information about the context of the delivery of Planoudes' speech. The orator spoke at the emperor's invitation during the celebrations, involving feasting and delivery of panegyrics, that filled the days after the coronation of Michael IX on 21 May 1294.[43] The ambassador to Byzantium of King Charles II of Naples (1285–1309), Pierre de Surie, attended the coronation ceremony and may have been among the audience listening to the panegyric. His mission was to arrange the marriage of Michael IX to the titular empress of Constantinople, Catherine of Courtenay, who resided in Charles II's court in Naples – an item that had been on the Byzantine diplomatic agenda since 1288.[44] This advantageous marriage alliance would have averted Western plans of reconquest of Constantinople, yet it was destined never to come to fruition. Less than a year after his coronation, on 16 January 1295, Michael IX married an Armenian princess. It is possible that the failure of the negotiations was becoming increasingly evident by May 1294. And it is noteworthy that Planoudes addressed the orations to Andronikos II (who had himself invited the speaker), to the newly crowned co-emperor Michael IX Palaiologos, the main subject of encomium, and to the entire audience in attendance, which he explicitly designated as his main addressee.[45]

The oration betrays the characteristics of "political panegyric," an intermediate genre, which Hermogenes described as mixing a speech of counsel and an encomium, and which Planoudes himself discussed in his scholia on Hermogenes. Here Planoudes explained that the political panegyric

[41] Pachymeres II.iii, 269–271; Dölger, *Regesten*, 2197. See *Maximi monachi Planudis epistulae*, no. 5, 11; no. 12, 22. The purpose of the embassy was to arrange a new commercial treaty with Venice after the ten-year pact signed in 1285 had expired. The embassy took place in particularly difficult circumstances. In 1296 the Venetians had made a naval assault on the Genoese in Pera, and the Genoese had taken revenge by murdering Venetians resident in Constantinople and looting their properties.

[42] A. Laiou, "Some Observations on Alexios Philanthropenos and Maximos Planoudes," BMGS, 4 (1978), 89–99.

[43] Planoudes, "Basilikos," BSl, 27 (1966), 102.76–79.

[44] Pachymeres II.iii, 219 and n. 4 of the editor Albert Failler. Planoudes himself mentions the presence of Latin ambassadors at the ceremony. See below, n. 60. It is possible that Planoudes took part as an interpreter in these unsuccessful negotiations. In 1301 Catherine of Courtenay married Charles of Valois, a brother of the French king Philip IV (The Fair) (1285–1314). By virtue of this marriage Charles of Valois became titular Latin emperor of Constantinople and was engaged until 1314 in plans for an expedition of reconquest. See Laiou, *Constantinople and the Latins*, 48–56, 129–31, 200 ff.

[45] Planoudes, "Basilikos," BSl, 27 (1966), 101.62–64: ὦ ἄνδρες Ῥωμαῖοι, πρὸς ὑμᾶς γὰρ τοὐντεῦθεν ὁ λόγος, οἷς ἡδὺ τῶν βασιλικῶν ἀρετῶν ὥσπερ ἐν ἔργοις, οὕτω δὲ καὶ ἐν λόγοις αὐτοῖς ἀπολαύειν.

was called political because it presented a matter for debate, but it was also mainly a panegyric, because its overall structure was that of an encomium.[46] It consisted of two parts – one argumentative and one panegyrical – and each had to support the author's position and blunt the force of the opponents' arguments. Planoudes' oration of 1294 has exactly the same structure. The work opens with a lengthy praise of the young emperor (his native land and family, his birth and his upbringing, his outside appearance and his inner virtues) and continues with an encomium for Andronikos II and Michael VIII. The panegyric anticipates the militant spirit of the second, openly advisory part of the speech. Thus in the panegyric Planoudes pointed to the Romans as the emperor's real family and described them as a warlike people, who were no traders like the Phoenicians and no simple farmers like the Egyptians.[47] The orator praised Michael IX's grandfather Michael VIII for having taken superb care of the Byzantine fleet in the recent past. According to him the Bosporus, the Aegean Sea, and the Black Sea had teemed with ships of the imperial fleet during his reign. Michael VIII had managed to rid the sea of pirates and local Latin lords.[48] All this corresponds, partly at least, to historical reality, as Michael VIII had reconquered a number of Aegean islands from their Western masters.[49]

The panegyric sets the stage for the advisory part of the speech. Planoudes gave two direct pieces of advice: the emperor should always suspect the motives of his enemies when conducting negotiations with them and should prepare himself physically for war.[50] The counsel was subsequently presented in the form of a vivid polemic with an unnamed opponent, who would get up and raise an objection to the propositions of the orator. The model given by Hermogenes for this combative discourse was none other than the ancient Greek rhetorician Demosthenes.[51] Planoudes put forward the idea that the emperor should possess a sizeable army, which could include even peasants and shepherds, a large native and mercenary cavalry force, a powerful fleet, and a great military budget.[52] The imaginary opponent retorted immediately with two counterarguments, the first of which Planoudes presented as a parody. According to Planoudes, the adversary

[46] Walz, *Rhetores Graeci*, vol. 5, 555.16–22.

[47] Planoudes, "Basilikos," BSl, 28 (1967), 61.472–475, 62.529–537.

[48] Ibid., 65.670–66.687.

[49] Michael VIII retook all the Cycladic islands but Naxos, as well as the island of Lemnos. See Geanakoplos, *Michael VIII*, 295–96.

[50] Planoudes, "Basilikos," BSl, 29 (1968), 44.1226–1230.

[51] Ibid., 44.1262: φέρε γὰρ κἀκεῖνο σκεψώμεθα; 45.1288–1289: ἕτερος δ' ἀναστὰς φήσει μὴ οὕτως ὀφείλειν ταῦτ' εἶναι καὶ γίγνεσθαι; 46.1313: ἑτέρωθεν δ' ἀναστὰς ἕτερος πάλιν ἀντέκρουσεν. See Hermogenes, *On Invention*, 134.

[52] Planoudes, "Basilikos," BSl, 29 (1968), 44.1262–45.1286.

would deem a cavalry force unnecessary, for horse riders cannot touch the ground with their feet, would consider warrior clothes to be rough and uncomfortable, and would prefer to leave the ships to rot at the docks, since there were no longer Argonauts and a golden fleece.[53] Planoudes noted that these opinions hardly needed a response, thus winning subtly and rhetorically the audience to his side. Planoudes then turned to the second counterargument of his opponent, namely that the emperor should be as peace loving as King David, and objected to it by saying that the biblical king was not only a meek shepherd, but also a warrior.[54] He further attacked the view that diplomacy could bring a lasting peace, for the barbarians were always untrustworthy and not easily bound by agreements.[55]

Among the preposterous ideas attributed to the opponent, Planoudes referred to a real event: the disbanding of the Byzantine military fleet after the death in early 1285 of Charles of Anjou, the king of Naples and Byzantium's inveterate enemy. The historians George Pachymeres and Nikephoras Gregoras both attributed this detrimental decision to unnamed counselors of Andronikos II.[56] According to Pachymeres, they argued that the maintenance of a fleet was expensive to taxpayers, while diplomacy alone was capable of procuring a lasting peace after Charles of Anjou's death. Gregoras blamed the readiness of these counselors to leave the empire defenseless because of their "thirst for money." More significantly, Gregoras wrote that after the disbanding of the fleet some of the ships were left to decay for years in the Golden Horn, just as Planoudes' rhetorical opponent almost jokingly suggested. It appears therefore that Planoudes not only counseled and entertained his audience with a satire, but criticized imperial policy.[57] Planoudes was not the only contemporary to deplore the dismantling of the fleet, although he appears to have been the earliest one to do so. In the years 1305–06 the urban populace of Constantinople, faced with the Catalan fiasco, publicly protested against lack of a fleet and urged Andronikos II to equip military ships.[58] The historians Pachymeres and Gregoras, both writing after Planoudes, blamed Byzantium's military decline on its lack of naval forces. Furthermore, the mirrors of princes such as Thomas Magistros' treatise *On Kingship* also stressed the importance of the fleet for imperial military policy.[59] The speech of Planoudes shows that the government of

[53] Ibid., 45.1288–1301.

[54] Ibid., 46.1313–30.

[55] Ibid., 46.1340–58.

[56] See Pachymeres II.iii, 81–83; Gregoras I, 174.10–175.3. Cf. H. Ahrweiler, *Byzance et la mer* (Paris, 1966), 374–78.

[57] Gregoras I, 176.4–5.

[58] See Pachymeres II.iv, 581.3–7, 595.14–15. Cf. Laiou, *Constantinople and the Latins*, 165.

[59] See below chapter 6, p. 196, and n. 67.

Andronikos II came under sharp criticism for its shortsighted naval policies much earlier than was usually thought.

Who were Byzantium's enemies against whom Planoudes recommended a militaristic imperial policy? In all likelihood the main enemy of Byzantium were the Latins. A fleet was particularly necessary in a naval war against hostile Western powers which still harbored plans for aggression against Constantinople and the reestablishment of the Latin empire. In the speech Planoudes alluded to the ongoing negotiations for the marriage of Michael IX with Catherine of Courtenay. The orator mentioned the presence at the coronation ceremony of Latin guests, who, according to Planoudes, wished to recognize Michael IX as their emperor and whose diplomatic brief was well known to certain members of the audience.[60] Yet these fruitless negotiations had been dragging on for six years and represented the failure of diplomacy as a method of foreign policy. As a man versed in Latin culture, Planoudes doubtless had good credentials to counsel the emperor about his dealings with the West. It is also probable that the orator was hoping that Michael IX would undertake a more offensive policy against the Turks. The victorious advance into Asia Minor of the general Alexios Philanthropenos, which began in 1294, must have instilled in Planoudes some of the militaristic spirit which he wished to convey to his audience. Planoudes was in correspondence with Philanthropenos and visited him in Asia Minor in 1295.[61] His advocacy of greater spending on the army may well have been inspired by the last significant offensive operation of Byzantium in Asia Minor.

The identity of Planoudes' unnamed opponent or opponents is a highly intriguing question. Textual clues show that Planoudes – in addition to engaging in polemics with an imaginary adversary – took issue with earlier panegyrists of Andronikos II, and in particular with the highest official of the empire, Nikephoros Choumnos. Planoudes underlined that his work was not meant to follow other people's panegyrics. After praising Andronikos II at length, Planoudes thought it necessary to apologize for repeating imperial virtues which everyone knew all too well.[62] This unusual apology for following tradition set the stage for his own rhetorical innovation. Planoudes took issue with the view of imperial philanthropy found in the orations of Choumnos and Metochites. There the emperor's philanthropic actions were presented as transgression of the law, although an admirable transgression of a special kind – "the best form of lawlessness."[63]

[60] See the additions published by Kourouses in Ἀθηνᾶ, 73–74 (1972–73), 433.
[61] See Laiou, "Some Observations." [62] Planoudes, "Basilikos," BSl, 29 (1968), 40.1056–1060.
[63] See above chapter 4, p. 142.

Planoudes saw Andronikos II's philanthropy as his main virtue, yet he disagreed with previous rhetorical interpretations. "I am annoyed," Planoudes retorted, "hearing often that some people dispute whether philanthropy and justice could be viewed as one and the same thing."[64] He noted that philanthropy never contradicted justice, but the two virtues formed an indivisible whole. This seemingly innocuous remark had a deeper meaning. Planoudes delivered his panegyric a few months after Nikephoros Choumnos had been appointed to the highest civil office in the empire (*mesazon*). Therefore Planoudes did not simply dismiss one of the many imperial orations, but attacked a cherished rhetorical work authored by the strongest man in the empire after the emperor.[65] The more perceptive members of the audience would doubtless have understood this personal riposte; it would be one more logical step to associate Choumnos with Planoudes' anonymous opponent in the second part of the panegyric.

Maximos Planoudes should thus be credited with introducing combative elements of deliberation into imperial panegyric. As a commentator on the corpus of Hermogenes and a man interested in the Greek rhetorical tradition, Planoudes was certainly the right person to experiment and innovate. Remarkably, there were like-minded contemporary court orators who followed in the footsteps of Planoudes. Another political panegyric, resembling Planoudes' *basilikos* in its bipartite structure (partly panegyrical and partly deliberative), is the anonymous fragment transmitted in Vaticanus graecus 112. This panegyric dates to the period shortly after the conclusion in 1299 of the important marriage alliance between Andronikos II and the Serbian king Stephan Uroš II Milutin (1282–1321). Unlike Planoudes, the unknown orator took the emperor's side and conducted a polemic with the opponents of the marriage. Thus, his panegyric was not intended as a speech of counsel to the emperor, but as a defense of the official line and as a refutation of dissidents. The Byzantine–Serbian alliance was a fiasco for Andronikos II from the point of view of public relations. His daughter Simonis was barely six years old at the time of the marriage, while her husband, the Serbian king, was in his forties and thrice divorced. The

[64] Planoudes, "Basilikos," BSl, 29 (1968), 37.911–913: ἠνώχλημαι τὴν ἀκοὴν πολλάκις, ὦ βασιλεῦ, τινῶν ἀκούων, ἀμφισβητούντων δικαιοσύνης ἕνεκεν καὶ φιλανθρωπίας, εἴ γε κατὰ ταὐτὸν αὗται θεωρηθῆναί που δυνήσονται.
[65] According to Pachymeres II.iii, 215.17–20, Choumnos became *mesazon* at the death of his predecessor Theodore Mouzalon in early 1294. See PLP no. 19439 (Theodore Mouzalon) and 30961 (Nikephoros Choumnos). One year later, in 1295, Choumnos also became the head of the imperial chancery (*epi tou kanikleiou*); see J. Verpeaux, *Nicéphore Choumnos, homme d'état et humaniste byzantin, ca. 1250/1255–1327* (Paris, 1959), 39. That Planoudes criticized the oratory of Choumnos did not prevent him from praising him in a private letter as a talented rhetorician (δεξιὸς ῥήτωρ) and from recommending a certain uncle of his for an unspecified favor. See *Maximi monachi Planudis epistulae*, no. 6, 13–14, 202.

scandalous and uncanonical marriage shook Constantinopolitan high society and the church to such an extent that the patriarch John XII Kosmas (1294–1303) withdrew in protest from public life for more than a year and took up residence in the monastery of the Virgin Pammakaristos. Yet the marriage alliance was a skillful political move, for it put an end to nearly two decades of Serbian assault on Byzantium.

The surviving fragment of the imperial oration opens by an imputation of arguments to the opponents of the alliance. The author identified them as "generals, men of power, and all the foreign peoples."[66] Conspicuously absent among them are churchmen, most probably because their canonical arguments were too embarrassing to address. For Andronikos II's opponents, an alliance with the Serbs was ill-conceived and unprincipled, for it blurred the difference between old friends and traditional enemies. The orator's response presented various counterarguments. Some are highly panegyrical in nature and make little logical sense.[67] He explained the emperor's decision to strike this unexpected alliance as a clear sign of his divinity (for no human ever forgets evils caused by a staunch enemy) and a result of innate benevolence and philanthropy.[68] The anonymous author also made, however, a number of logical ("apodeictic") arguments, which were based on current diplomatic realities. The alliance was beneficial for both Byzantium and the Serbs, since without it neither people would have remained safe and would have lived without fear. Then the orator referred to Byzantium's own difficulties with containing Serbian aggression. The maintenance of fortifications in border areas had proven to be no barrier to the Serbs, but only a useless public expense. The current cessation of hostilities and depredations of Byzantine territories was the ultimate proof

[66] Kourouses, "Galesiotes," 364.13–23, esp. ll. 13–14: δικαίως μέντ' ἂν φαῖεν στρατηγοὶ πάντες καὶ ἡγεμόνες, λέγω δὴ καὶ ἔθνη καθόλου πάντα. It is difficult to determine whether these opponents were real or fictitious. In any case, the commander of Andronikos II in the Balkans who oversaw the Byzantine defenses against the Serbs, Michael Tarchaneiotes Glabas, was among the keenest proponents of the marriage alliance. See Pachymeres II.iii, 299–301. Nikephoros Choumnos and Theodore Metochites also favored the marriage. Metochites went on an embassy to the Serbian court to arrange the marriage, and Choumnos was the most probable addressee of his account of the embassy (MB, vol. 1, 154–193).

[67] Hermogenes, *On Invention*, 162–64, makes a distinction between logical ("apodeictic") and panegyrical arguments. Hermogenes recommended that the author start first with the apodeictic arguments and then proceed to the panegyrical, for this made his thesis more persuasive. However, the Anonymous of Vat. gr. 112 mixed the two types of arguments, and in fact started at first with a panegyrical one: the emperor's divinity.

[68] Kourouses, "Galesiotes," 364.24, 364.29–35, 365.55–366.70. The orator also alleged that Andronikos II had philanthropically adopted the Serbian king as his own child and had saved the Serbs from annihilation by their dangerous neighbors, the nearby Skythians (that is, the Tatars) and from Western powers.

of the necessity of the marriage.[69] As in the case of Planoudes' oration, the openly advisory part of the speech found support in the panegyrical, which here follows the deliberation and is a run-of-the-mill praise of the four cardinal virtues. The orator chose appropriate comparisons to justify rhetorically Simonis' marriage to the Serbian king. He underscored that Andronikos II differed from Romulus, who never gave his daughters in marriage but instead abducted the Sabine women. The emperor resembled Alexander the Great, who had married off his generals to Persian noblewomen, yet those marriages never brought much benefit to Alexander and eventually the drunken king of ancient Macedon assassinated some of his warrior companions.[70]

The anonymous Vatican fragment is the only political panegyric surviving after Planoudes' speech. Thus political panegyric appears to be a curious development in late Byzantine oratory restricted to the middle years of the reign of Andronikos II, that is to the 1290s and the early 1300s. While issues of foreign policy were the most common ones to elicit the opinions of court orators, they were not the sole ones. Panegyrists paid attention also to hot issues of domestic importance. A case in point is the panegyric composed between 1250 and 1254 by Theodore II Laskaris and addressed to his father, the emperor John III Vatatzes. Here Laskaris issued a gloomy warning. In a section of the speech dealing with the imperial virtue of generosity, Laskaris voiced his fear lest people "accustomed to profit from imperial generosity" lose their senses and decide one day to kill the emperor and his son – that is, the orator himself.[71] This puzzling remark is not explained in the context of the speech. Yet the audience must have known well the identity of those "accustomed to imperial generosity" – generosity dispensed through salaries, conditional concessions of tax resources (*pronoiai*), or unconditional land grants. In the later part of his reign John III Vatatzes conducted confiscations of aristocratic landholdings, which provoked discontent among the Nicaean political elite.[72] Laskaris himself was to carry out radical anti-aristocratic policies. His remark in the imperial panegyric was, therefore, directed against a hostile segment of the aristocracy. In addition, the mention of the possibility of murder may well be based on the personal conflict between the author of the panegyric and Theodore Philes (the future or current governor of Thessaloniki). In one of his letters Laskaris accused Philes of murdering his friend, a certain Tribides; he vowed to report Philes to his father-emperor and to take

[69] Ibid., 365.45–47, 366.74–75, 366.93–98. [70] Ibid., 366.84–85, 366.86–92.
[71] Theodore II, *Encomio*, 67.551–555. [72] Akropolites I, 105.3–5.

revenge.[73] After Laskaris acceded to the throne in 1254, he accused Philes of *lèse-majesté* and punished him with blinding.[74] In the imperial panegyric he took the opportunity to issue a public warning and a general admonition against aristocratic privilege.

Several conclusions naturally present themselves. Imperial panegyric in late Byzantium was not simply a propagandist genre. Skillful orators conveyed concrete messages to the emperor and his entourage, in addition to rehearsing the standard arsenal of imperial virtues. The significance of the lobbying function of court oratory should by no means be exaggerated. It is not unique to the later period of Byzantine history. Nor did the increasingly independent position of the rhetoricians supersede or even overshadow the principal function of panegyric, that is, to praise and celebrate. Most rhetorical specimens in the period lack hortatory language; self-references and elements of counsel always occupy a relatively small part of the speeches. Yet when we come to assess the two distinct functions of court oratory – the propagandist and the lobbying – the latter takes on greater significance. Imperial panegyric never had an extensive outreach as propaganda, because the speakers addressed an audience restricted to the court, used a difficult language, and preached a sermon to the converted, including the emperor himself. As lobbyists on the other hand, the orators had the chance to draw attention to important political issues and to convert the listeners to their viewpoint. They displayed a degree of social engagement and political wisdom which is truly remarkable given the limitations of the genre. In his imperial oration Theodore II Laskaris predicted the plotting of disgruntled aristocrats and the violent downfall of his dynasty. Maximos Planoudes appealed for a new policy of larger military spending and rebuilding of the fleet – a policy which historical hindsight shows to have been reasonable and necessary. Theodore Metochites called attention to the imminent fall of Byzantine Asia Minor into the hands of the Turks and demanded that no resource be spared to address the crisis. By the thirteenth century the days of Demosthenes were long gone, and yet some of the spirit of classical political oratory still lived on among masterful Byzantine court rhetoricians.

[73] *Theodori Ducae Lascaris Epistulae*, no. 78, 105–106. See Theodore II's satirical description of Philes in another letter to Akropolites, ibid., no. 77, 103–104.
[74] Akropolites I, 155.1–3.

PART II

The secular thinkers

CHAPTER 6

Tradition and innovation in theoretical texts

The second section of our study moves beyond the familiar context of propaganda and focuses on secular ideas about imperial power formulated from a less official or altogether unofficial perspective. These theoretical ideas differ from those found in propagandist texts because they do not purport to disseminate the public image of the emperor, but represent the political views of individual authors. These authors articulated theories on imperial power in various ways – whether by deliberating the principles of monarchical government, by criticizing past or current imperial policies, or by posing norms for imperial political conduct. It must be stressed at the very beginning that a more independent authorial perspective did not necessarily lead to originality of ideas. In fact, there was a substantial overlap of ideas found in and outside propagandist genres of political writing. In his mirror of princes composed in the early fourteenth century Thomas Magistros referred to the existence of a repertoire of ideas concerning the imperial office common to panegyrists and to authors of advice tracts. Magistros opened his work by stating that excessive praise tended to corrupt the emperor and to encourage him to live idly in self-content and disregard for virtue; therefore the author decided to address in a prescriptive fashion ideas drawn from the panegyrics.[1] Thomas Magistros thus admitted that it was possible to convert imperial panegyric into a normative discourse on kingship.

Our goal in this preliminary chapter is twofold. First, we shall survey the traditional theoretical literature on kingship and identify a body of ideas common to these texts throughout Byzantine history – ideas which, in most cases, were also present in imperial panegyrics and preambles. Second, we shall survey the theoretical texts that fall outside the traditional genres and

[1] *Toma Magistro. La regalità*, ed. P. Cacciatore (Naples, 1997) (= Thomas Magistros, *On Kingship*), 29.15–30.29. The idea of the corrupting power of praise seems to be derived from late antique discourses on kingship. See below, n. 28.

suggest a framework for analyzing innovation of thought in the thirteenth and the early fourteenth century.

THE MIRRORS OF PRINCES

The traditional genre of theoretical political literature in Byzantium was didactic tracts addressed to the emperor. Modern scholars have referred to these works as "mirror of princes" – a designation which the Byzantines never used and was coined in the Latin West during the twelfth century.[2] The Byzantine mirrors of princes (which developed independently from the Western ones) rest on a Hellenic tradition of didactic literature on kingship, beginning with the treatise *To Nicocles* by Isocrates (436–338 B.C.). The Byzantine authors of mirrors of princes sought to educate an emperor, or a young prince, in the principles of good and just kingship. Although the mirrors of princes were not, of course, the only *explicitly* theoretical works on imperial power in Byzantium, they are the most useful ones for setting a criterion of "tradition" in the theoretical discourse on kingship. For one thing, the mirrors presented political ideas more systematically than any other texts, such as, for example, historical accounts or legal texts. Furthermore, the mirrors of princes were a time-honored and common custom at the Byzantine court. Their popularity in fact went beyond the world of the court. Mirrors circulated among wider reading audiences fascinated with the subject of kingship and appreciative of the moral philosophy these works had to offer. At times mirrors were incorporated into fictional novels or monastic florilegia.[3] In his monumental history of Byzantine secular literature Herbert Hunger has distinguished between two different types of Byzantine mirrors of princes, both of which were late antique inventions.[4] The late antique prototypes were influential throughout the entire Byzantine period and provided models for the genre of advice tracts to the ruler in later times.

[2] Gottfried of Viterbo (d. 1191) coined the expression in his *Speculum Regum*, addressed in about 1183 to the Western emperor Henry VI. See P. Hadot, "Fürstenspiegel," *Reallexikon für Antike und Christentum*, vol. 8 (Stuttgart, 1972), 556. Still useful is the survey of the Western medieval tradition of the mirrors of princes by W. Berges, *Die Fürstenspiegel des hohen und späten Mittelalters* (Stuttgart, 1938; repr. 1952).

[3] G. Prinzing, "Beobachtungen zu 'integrierten' Fürstenspiegeln der Byzantiner," JÖB, 38 (1988), 1–31. For example, *Barlaam and Joasaph*, a popular prose romance of Eastern origin, contains a mirror of princes influenced by Agapetos the Deacon. See E. Barker, *Social and Political Thought in Byzantium* (Oxford, 1957), 81–84. A mirror of princes figures in the florilegium *Melissa* (tenth–eleventh century), PG, vol. 136, cols. 996–1012 (sections on the good emperor and the bad ruler). On the date of the *Melissa*, see M. Richard, "Florilèges spirituels grecs," *Opera Minora*, vol. 1 (Turnhout, 1976), Study I, cols. 492–94.

[4] H. Hunger, *Die hochsprachliche profane Literatur der Byzantiner*, vol. 1 (Munich, 1978), 158–65.

The first type of Byzantine mirror of princes is a speech in its literary form. The leading and most influential example is the oration *On Kingship* (*peri basileias*) addressed by Synesius of Cyrene (ca. 370–ca. 413) to the emperor Arcadius (395–408).[5] Writing in high Attic prose, Synesius followed closely his own cherished literary model, Dio Chrysostom (40/50–after 110) – a renowned representative of the literary movement of the Second Sophistic and author of four orations, also entitled *On Kingship*, addressed to the emperor Trajan.[6] Synesius' mirror of princes bears outward resemblances to imperial panegyric in its orational form and use of comparative figures of kingship. Yet its language is entirely prescriptive and instructive, because Synesius presented to the young emperor the principles of kingship and urged him to adopt concrete policies. About fifty manuscripts transmitting Synesius' mirror have come down from the thirteenth and fourteenth centuries – a testimony that the work was read and copied in this period.[7]

The second type of Byzantine mirror of princes is different from the first both in terms of form and content. It consists of brief chapters, features an acrostic, and tends to present in a gnomic fashion precepts of common political wisdom. Imbued with the spirit of Christian values, this Byzantine mirror of princes was a truly medieval phenomenon. The earliest specimen – immensely influential – is Agapetos the Deacon's *Ekthesis*, or *Exposition of Hortatory Chapters*, addressed to the emperor Justinian I (527–65).[8] Another mirror of princes of this type, strongly influenced by Agapetos the Deacon, is the *Hortatory Chapters* (*Kephalaia parainetika*) which address the emperor

[5] *Synesii Cyrenensis hymni et opuscula*, vol. 2, ed. N. Terzaghi (Rome, 1944), 5–62. For an English translation, see *The Essays and Hymns of Synesius of Cyrene*, trans. A. FitzGerald, vol. 1 (Oxford, 1930), 108–47; for a French translation and commentary, see C. Lacombrade, *Le discours sur la royauté de Synésios de Cyrène à l'empereur Arcadios* (Paris, 1951). For a dating of Synesius' *On Kingship* to 399–402, see A. Cameron and J. Long, *Barbarians and Politics at the Court of Arcadius*, with the contribution of L. Sherry (Berkeley, 1993), 91–142.

[6] J. R. Asmus, "Synesius und Dio Chrysostomus," BZ, 9 (1900), 91–104; C. P. Jones, *The Roman World of Dio Chrysostom* (Cambridge, Mass., 1978).

[7] N. Terzaghi, *Synesii Cyrenensis hymni et opuscula*, vol. 2, ix–li. Terzaghi published late Byzantine scholia on Synesius' *On Kingship*, which are mostly philological and do not reflect political attitudes. See N. Terzaghi, "In Synesii Orationem 'De Regno' scholia vetera," *Bollettino del Comitato per la preparazione dell'edizione nazionale dei classici greci e latini*, n.s., 10 (1962), 1–8.

[8] R. Riedinger, *Agapetos Diakonos. Der Fürstenspiegel für Kaiser Iustinianos* (Athens, 1995) (cited as Agapetos the Deacon). The work of Agapetos is found also in PG, vol. 86, 1, cols. 1164–86. Agapetos' authorship is uncertain. Only one branch of the manuscript tradition identifies the author as "Deacon Agapetos" and calls his work, "*ekthesis* of hortatory chapters." The acrostic shows beyond doubt that the mirror addressed Justinian. The most extensive studies on Agapetos are A. Bellomo, *Agapeto Diacono e la sua Scheda regia. Contributo alla storia dell'imperatore Giustiniano e dei suoi tempi* (Bari, 1906); R. Frohne, *Agapetus Diaconus. Untersuchungen zu den Quellen und zur Wirkungsgeschichte des ersten byzantinischen Fürstenspiegels* (Tübingen, 1985).

Leo VI the Wise (886–912).[9] Although the acrostic attributes the *Hortatory Chapters* to the illiterate emperor Basil I (Leo's father), the author was most probably the learned patriarch Photios (858–67, 877–86).[10] For this reason we shall henceforth refer to the author of this work as Pseudo-Basil. Agapetos and Pseudo-Basil based their works on a classical Greek tradition of advisory literature, primarily Isocrates' *To Nicocles* and *To Demonicus*, the Bible, and early Christian authors. Pseudo-Basil's mirror ends with the telling exhortation that the ruler should constantly read Isocrates, the Wisdom of Solomon, and the book of Ecclesiasticus.[11]

The mirrors of Agapetos the Deacon and Pseudo-Basil were widely copied and occasionally commented upon during the late Byzantine period. Agapetos survives in more than eighty late Byzantine manuscripts,[12] Pseudo-Basil in twenty-five.[13] On account of their immense popularity and the general, moralistic content of their counsels to the ruler, these two works can be considered touchstones of tradition among the Byzantine mirrors of princes. In fact, the two works were exceedingly popular beyond the boundaries of Byzantium. Agapetos' chapters were translated into Slavonic at the court of the Bulgarian tsar Symeon the Great (893–927), a ruler whose ambitions to conquer Constantinople and set himself up as Byzantine emperor are well known.[14] Manuscripts of Agapetos and Pseudo-Basil circulated in Russia during the fifteenth and sixteenth centuries.[15] At about the same time

[9] K. Emminger, *Studien zu den griechischen Fürstenspiegeln*, III, Βασιλείου κεφάλαια παραινετικά (Munich, 1913), 23–73 (cited as Pseudo-Basil). Pseudo-Basil's mirror of princes is published also in PG, vol. 107, cols. 23–56.

[10] A. Markopoulos, "Autour des *Chapitres parénétiques* de Basile Ier," in A. Laiou (ed.), *EYΨYXIA. Mélanges offerts à Hélène Ahrweiler*, vol. 2 (Paris, 1998), 469–79, esp. 479 (cases of textual parallelism between Pseudo-Basil and Photios' letter to Tsar Boris-Michael of Bulgaria).

[11] Pseudo-Basil, 73, ch. 66.

[12] Bellomo, *Agapeto Diacono*, 13–49, counted and classified more than eighty manuscripts, all of them produced after 1300. In the preface to his edition of Agapetos the Deacon (p. 7), Rudolf Riedinger has suggested that 30–40 more manuscripts can be found. During the reign of Andronikos II Manuel Moschopoulos produced scholia on Agapetos, apparently of a philological nature. They can be found in Cod. Scor. gr. 414 (IV 10 19), ff. 23–75. See Bellomo, *Agapeto Diacono*, 36. However, F. Fusca, "Per l'edizione degli scoli alla Schedia regia di Agapeto Diacono," *Koinonia*, 2 (1978), 202, is uncertain about Moschopoulos' authorship of the scholia.

[13] See Emminger's preface to his edition, 23–42.

[14] I. Ševčenko, "On Some Sources of Prince Svjatoslav's *Izbornik* of the Year 1076," *Byzantium and the Slavs in Letters and Culture* (Cambridge, Mass., and Naples, 1991), 250–51. In addition, the mirror in the *Melissa* florilegium was translated into Slavonic during the twelfth century. See the bilingual edition by V. Semenov and D. Tschižewskij, *Melissa: ein byzantinisches Florilegium* (Munich, 1968).

[15] I. Ševčenko, "Agapetus East and West: The Fate of a Byzantine 'Mirror of Princes'," *Revue des Études Sud-Est Européennes*, 16 (1978) (= *Ideology, Letters and Culture in the Byzantine World* [London, 1982], Study III), 27–28. Cf. I. Sinitzyna, "Poslanie konstantinopol'skogo patriarkha Fotiia kniaziu Mikhailu Bolgaskomu v spiskakh XVI v.," *Trudy Otdela drevnorusskoi literatury Akademii nauk SSSR*, 21 (1965), 98–99. The Slavonic translation of Agapetos appeared first in print in Kiev (1626) and then in Moscow (1660). See I. Ševčenko, "Lyubomudrějšij kÿr" Agapit Diakon: On a Kiev Edition of a Byzantine *Mirror of Princes*," *Byzantium and the Slavs in Letters and Culture*, 497–557.

Agapetos the Deacon became widely known in the West, where numerous editions appeared in print, often with a rededication to the local European monarch. The French king Louis XIII was made to translate Agapetos' precepts into French during his school years.[16] In the West as in Byzantium the readership of Agapetos included rulers as well as a much broader public, attracted to the mirror as a work of moral philosophy.

The composition of mirrors continued without interruption after 1204. The two earliest mirrors of princes of the thirteenth century were produced in the state of Epiros and were incorporated into letters to the ruler. Between 1216 and 1224 the archbishop of Ohrid, Demetrios Chomatenos, received a legal query from the Epirote sovereign Theodore Komnenos Doukas as to whether an emperor must perform penance upon sentencing to death a certain bandit Petrilos who had become notorious in his time. In his letter of response Chomatenos incorporated a short normative description of the emperor's duties.[17] After Theodore Komnenos Doukas' coronation and anointment in Thessaloniki (1227), the archbishop of Naupaktos John Apokaukos authored another short mirror of princes, which he, too, placed in a letter addressed to the sovereign.[18] Another mirror of princes forms part of the *Thesauros* of Theognostos, a florilegium addressing a lay audience and produced sometime between 1204 and 1254.[19] The monk Theognostos was the likely author of this mirror, which is mostly a collection of quotations from the Bible and the church fathers, together with examples drawn from Byzantine history.[20] Thus the *Thesauros* belongs to the tradition of mirrors incorporated into monastic florilegia, such as the *Melissa*. The emphasis on sexual abstinence, which is new for a Byzantine mirror of princes, suggests that Theognostos may have envisaged the well-attested marital infidelity of the Nicaean emperor John III Vatatzes, to which the roughly contemporary mirror by Blemmydes also alludes. Nonetheless, it is impossible to establish with certainty the context of the work, as there are other possible addressees during the period in which it was composed.[21]

[16] Ševčenko, "Agapetus East and West," 9–15.

[17] Chomatenos, ed. Prinzing, no. 110, 363–67. For an analysis of this document see D. Simon, "Gewissensbisse eines Kaisers," in G. Baumgärtel et al. (eds.), *Festschrift für Heinz Hübner zum 70. Geburtstag am 7. November 1984* (Berlin, 1984), 263–71.

[18] V. Vasil'evskii, "Epirotica saeculi XIII," VV3 (1896), no. 25, 286–88 (A. Papadopoulos-Kerameus, *Noctes Petropolitanae* [St. Petersburg, 1913; repr. Leipzig, 1976], no. 19, 282–284). It is clear from the context that Apokaukos addressed Theodore after his coronation (between April and August 1227).

[19] *Theognosti Thesaurus*, ed. J. Munitiz (Turnhout and Leuven, 1979), ch. 19, 196–203. Its editor, Joseph Munitiz, has appropriately called the florilegium a "manual of Christian faith."

[20] One of the manuscripts mentions Theognostos as the author of the mirror of princes. See *Theognosti Thesaurus*, pp. lxxxvii–xc.

[21] Akropolites I, 32.3, characterizes Theodore I Laskaris as "succumbing to the pleasures of love." This trait also belonged to the ruler of Epiros Michael II Komnenos Doukas (ca. 1231–67), whose wife,

The Nicaean polymath Nikephoros Blemmydes (1197/1198–ca. 1269) was the author of a didactic tract on kingship entitled *Imperial Statue*. The immediate reason that prompted Blemmydes to write a mirror of princes appears to have been a court scandal: Vatatzes' adulterous liaison with an Italian lady-in-waiting to his second wife, Anna-Constance of Hohenstaufen. Blemmydes had barred the imperial mistress from attending mass in the church of the monastery of Saint Gregory the Miracle-Worker near Ephesos, of which he was the abbot. Blemmydes composed an impassioned invective against the Italian woman and made an allusion to her in the *Imperial Statue*.[22] This reference suggests that the mirror of princes postdates 1248.[23] On the other hand, the work seems to predate Theodore II's epitaph on Frederick II Hohenstaufen (d. 13 December 1250) which contains identical words and similar expressions.[24] We may plausibly assume that Theodore II Laskaris made borrowings from the mirror of his teacher, not vice versa. The composition of the *Imperial Statue* ought, therefore, to be dated to the period 1248–50. It was addressed to both John III Vatatzes and his son Theodore II. In his autobiography Blemmydes wrote that he had presented the work to the attention of "the emperors."[25] Blemmydes wrote in an obscure and belabored Greek, so recondite as to prompt in the early fourteenth century two patriarchal officials, George Galesiotes and George Oinaiotes, to prepare a paraphrase of the work in simpler Greek. This paraphrase shows that the *Imperial Statue* was read and respected at the time.

Written in a high register of Greek and making extensive use of comparative *exempla*, Blemmydes' *Imperial Statue* belongs to Synesius' rhetorical

Theodora of Arta, earned sainthood for her patience with her husband's infidelity. See her saint's life in PG, vol. 127, cols. 904–08; A.-M. Talbot (ed.), *The Holy Women of Byzantium: Ten Saints' Lives in English Translation* (Washington, 1996), 323–33.

22 H. Hunger and I. Ševčenko, *Des Nikephoros Blemmydes Βασιλικὸς Ἀνδριάς und dessen Metaphrase von Georgios Galesiotes und Georgios Oinaiotes* (Vienna, 1986), 62–64, ch. 66 (cited as Blemmydes, *Imperial Statue*). See I. Ševčenko, "A New Manuscript of Nicephorus Blemmydes' 'Imperial Statue,' and of Some Patriarchal Letters," *Byzantine Studies/Études Byzantines*, 5 (1978), 225 and n. 20. In Vat. gr. 1764 (thirteenth century) Blemmydes' circular letter of invective against the Italian mistress of Vatatzes immediately precedes the *Imperial Statue*. See P. Canart, *Codices Vaticani Graeci 1245–1962* (Vatican City, 1970), 84–89.

23 Joseph Munitiz has dated the confrontation between Blemmydes and the Italian mistress of Vatatzes to the period 1245–48, most probably Pentecost 1248. See J. Munitiz, "A 'Wicked Woman' in the 13th Century," JÖB, 32, 2 (1982), 529–37; J. Munitiz, *Nikephoros Blemmydes. A Partial Account* (Leuven, 1988), 24–25.

24 See chapter 7, nn. 151, 155 and 156.

25 *Nicephori Blemmydae Autobiographia*, II, 79, ch. 76.1–2: Ἀλλὰ καὶ Βασιλικὸν Ἀνδριάντα πλάττομεν καὶ ῥυθμίζομεν, καὶ τοῖς βασιλεῦσι προϊστῶμεν ἐνώπιον. The letter of dedication of the treatise to Theodore II Laskaris survives. See *Theodori Ducae Lascaris Epistulae*, Appendix III: *Nicephori Epistulae*, no. 13, 303–04.

tradition of mirrors of princes. The expression "imperial statue" is itself borrowed from Synesius.[26] Even closer to the spirit of Synesius is the mirror of princes entitled *On Kingship* by Thomas Magistros (d. after 1348).[27] The title *On Kingship* is identical with that of Synesius. Magistros borrowed expressions and ideas from Synesius, and was familiar with Dio Chrysostom's orations *On Kingship*.[28] The author of this mirror, Thomas Magistros, is a well-known Byzantine philologist and teacher. He was born in the second half of the thirteenth century in the city of Thessaloniki, where he spent his entire life, witnessing the social unrest of the two civil wars (1321–28, 1341–47) and the Zealot commune (1342–49).[29] The date of composition as well as the audience of his treatise *On Kingship* cannot be determined with certainly; they have been the subject of different hypotheses.[30] Most cogent among these hypotheses is the interpretation of Angeliki Laiou, who has argued that Magistros composed the treatise in about 1304. There are several considerations which support this dating. Magistros alludes to an event in the year 1304 – the melting of the crown gold by the order of the co-emperor Michael IX Palaiologos, who needed funds to pay his newly recruited troops

26 *Synesii Cyrenensis hymni et opuscula*, ch. 29, 61–62.

27 P. Cacciatore, *Toma Magistro: La regalità* (Naples, 1997) (cited as Magistros, *On Kingship*). Magistros' treatise was first published by A. Mai, *Scriptorum veterum nova collectio e Vaticanis codicibus*, vol. 3 (Rome, 1828), 145–72 (hence reprinted in PG, vol. 145, cols. 448–96). Cacciatore's edition is to be used with caution. Cacciatore's as well as Mai's editions rest on the same fourteenth-century manuscript, Cod. Vat. gr. 714. The fifteenth-century Cod. Vallicellianus gr. 45 (C. 84) gives sometimes better readings.

28 See the expression τοῦ μεγάλου βασιλέως ὁμώνυμος, in Magistros, *On Kingship*, 33.107–08 and Synesius, *On Kingship*, in *Synesii Cyrenensis hymni et opuscula*, ch. 8, 18.7–8. See also the description of how ancient philosophical schools had practiced literary studies and armed exercises simultaneously, in Magistros, *On Kingship*, ch. 28, 80.1283 ff., and Synesius' "Speech to Paionios about the Gift," in *Opere di Sinesio di Cirene*, ed. A. Garzya (Torino, 1989), ch. 2, 540–42. When Magistros compared the emperor's friends to eyes, ears, and feet, he seems to borrow an expression from Dio Chrysostom's third oration *On Kingship*. See Magistros, *On Kingship*, 58.732–59.735; *Dionis Prusaensis quem vocant Chrysostomum quae exstant omnia*, vol. 1, ed. J. de Arnim (Berlin, 1893; repr. 1962), 51.9–19. The opening words of Thomas Magistros about the corrupting power of praise mimic Synesius' *On Kingship* and especially Dio Chrysostom's third oration, *On Kingship*. See *Synesii Cyrenensis hymni et opuscula*, ch. 2, 7.8–11; *Dionis Prusaensis quem vocant Chrysostomum quae exstant omnia*, 34–36, esp. 36.24–29.

29 On Thomas Magistros' biography see S. Skalistes, *Θωμᾶς Μάγιστρος, ὁ βίος καὶ τὸ ἔργο του* (Thessaloniki, 1984), 26–49. On Magistros' philological activities, see N. Wilson, *Scholars of Byzantium*, rev. edn. (London, 1996), 247–49.

30 Skalistes, *Θωμᾶς Μάγιστρος*, 163–64, assigned on tenuous evidence the composition of *On Kingship* to the period 1324–28. Wilhelm Blum and Peter Wirth have suggested that Magistros addressed the treatise not to the emperor, but to Despot Constantine Palaiologos (1278/81–1334/35), Andronikos II's second son from his first wife, Anna of Hungary (PLP 21499). See W. Blum, *Byzantinische Fürstenspiegel* (Stuttgart, 1981), 49, 140, n. 3 (note by Wirth). According to Blum and Wirth, the expression ὁμώνυμος μεγάλου βασιλέως refers to the name Constantine: Constantine the Great was known as ὁ μέγας βασιλεύς. This expression, however, is borrowed from Synesius' *On Kingship* (see above, n. 28) and refers to God. See, for example, Psalm 46:3.

at the time of the beginning of the Catalan assault on Byzantium. Furthermore, the mirror discusses the rights of the imperial fisc in cases of intestate inheritance, a matter with which the novel of Patriarch Athanasios (drafted in 1304 and probably confirmed by the emperor in 1305 or 1306) also dealt, yet Magistros kept a conspicuous silence about this new piece of legislation, probably because he was unaware of it.[31] Other arguments for dating the work to about 1304 can be adduced besides those which have already been raised. In his treatise on education, which scholars have dated to about 1305, Theodore Metochites cited and attacked some of the ideas of Magistros, whose treatise must have been in circulation by that time.[32] On the other hand, *On Kingship* is likely to postdate 1303 – Magistros' injunction that the emperor should not appoint his relatives as governors of cities can be construed as a veiled attack against the empress Eirene-Yolanda of Montferrat (d. 1317), Andronikos II's estranged second wife, who settled in 1303 in Thessaloniki surrounded by sumptuous wealth.[33]

The philological interests of Thomas Magistros in authors of the Second Sophistic played a role in his choice of Synesius as a model for his political treatise. In his lexicon of Attic words Magistros considered the writings of Synesius a prime example of proper Greek usage and glossed expressions he had read in Synesius' *On Kingship*.[34] While literary interests drew Thomas Magistros' attention to the late antique author, his choice of a model for his mirror of princes appears also to have been connected to his political agenda. Synesius had been highly critical of imperial policies at the time, and had urged the emperor Arcadius to rid the court at Constantinople of the dominant influence of Germanic generals. It is interesting, therefore, to observe that both Synesius in the fifth century and Magistros in the

[31] A. Laiou, "Le débat sur les droits du fisc et les droits régaliens au début du 14e siècle," REB, 58 (2000), 97–122, esp. 98–99.

[32] I. Polemis, *Θεόδωρος Μετοχίτης. Ἠθικὸς ἢ περὶ παιδείας* (Athens, 1995), 32–35, 98–100, 166–68. As Polemis has demonstrated, Metochites attacked contemporaries who overemphasized the importance of education and quoted a passage from Magistros' *On Kingship* which states that scholars earn immortality through their learning and literary works. Metochites counterargued that education simply helped one lead a virtuous life. An early date for Magistros' work does not contradict what is known about Magistros' biography. By 1301 Magistros had prepared his recension of Aeschylus and Sophocles (Paris, Bibl. Nat., Cod. gr. 2884). Cf. Wilson, *Scholars of Byzantium*, 247; A. Turyn, *Studies in the Manuscript Tradition of the Tragedies of Sophocles* (Urbana, 1952), 31, 41 and n. 31.

[33] See Magistros, *On Kingship*, ch. 12, 48; cf. H. Constantinidi-Bibikou, "Yolande de Montferrat, impératrice de Byzance," *L'Hellénisme contemporain*, 4 (1950), 425–42. Gregoras I, 241, says that one hundred ships could have been built with the money Eirene-Yolanda of Montferrat wasted in Thessaloniki.

[34] *Thomae Magistri sive Theoduli monachi Ecloga vocum atticarum*, ed. F. Ritschl (Halle, 1832; repr. Hildesheim, 1970), c.v. Index, 438. Magistros was greatly interested in late antique oratory and composed orations imitating Aelius Aristides. See F. Lenz, *Fünf Reden Thomas Magisters* (Leiden, 1963), 1–90.

fourteenth attacked the very same policy of employment of foreign mercenaries, whether Gothic or Catalan. By contrast, the gnomic tradition of the mirrors had little to offer in the way of criticism of the emperor. Thus Magistros found in Synesius' work the appropriate literary model for writing a reformist tract. In fact, as we shall see, Magistros went much further in his critique than simply finding fault with military policy.

COMMON TENETS OF THE MIRRORS

Several common ideas about the nature of imperial power are discernible in the mirrors throughout Byzantine history. These ideas served as steppingstones toward the formulation of concrete counsels. The first and central tenet of the mirrors of princes was that the emperor ruled by divine right: he was an imitator of God, and his earthly empire mimicked God's heavenly kingdom.[35] The idea that the emperor was modeled after God gave the authors free rein in urging adherence to the divine virtues. These divine virtues are mostly identical with imperial virtues found in panegyrics. For example, Nikephoros Blemmydes insisted on the importance of moderation, mildness, generosity, calmness, compassion, friendship, and philanthropy.[36] In one of his philosophical treatises Theodore II Laskaris, Blemmydes' student, listed nineteen imperial virtues and wrote that they made the emperor an exact imitation of God.[37] Theognostos emphasized justice, forbearance, and moderation.[38] Thomas Magistros stressed the value of philanthropy, which made the emperor truly divine and repeated a statement known from the panegyrics of Andronikos II, namely that a philanthropic emperor should avoid imposing bodily punishments and should pardon criminals.[39] Traditionally, the authors of mirrors of princes urged the emperor to strive to be a philosopher-ruler, without ever defining the meaning of Plato's political ideal or its implications.[40] Blemmydes, for example, called philosophy an imitation of God's wisdom, although he never explained the significance of this enigmatic royal virtue.[41]

[35] Blemmydes, *Imperial Statue*, 76, chs. 103–04: the emperor is a God-like ruler who rejoices in all qualities revealing the likeness of God; Magistros, *On Kingship*, ch. 2, 32.75–76; ch. 4, 33.107–08: the emperor dwells on Mount Olympus.

[36] Blemmydes, *Imperial Statue*, 60, chs. 58–59; 62, chs. 63–64; 68–70, chs. 87–89; 102–10, chs. 172–97.

[37] N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 48.7–51.15, esp. 49.27.

[38] *Theognosti Thesaurus*, 199–203. [39] Magistros, *On Kingship*, ch. 4, 35.139–45.

[40] Agapetos the Deacon, 36, ch. 17; Pseudo-Basil, 69, ch. 54; Magistros, *On Kingship*, ch. 30, 83–84, where he cited the famous saying in Plato's *Republic* on philosophy and kingship.

[41] Blemmydes, *Imperial Statue*, 46, ch. 7. Cf. Blemmydes' introduction to his treatise on logic, PG, vol. 142, col. 689.

A second tenet in the mirrors of princes was that the emperor, while being an imitator of God, was also a mortal human being who would be held responsible for his actions on the day of the Last Judgment.[42] The emperor's humanity and accountability to God, an idea absent from imperial panegyric, led to an exhortation that the emperor observe the standards of Christian morality and shun vice. In his dedicatory letter of the *Imperial Statue* Blemmydes described his work as a moralizing disquisition on virtue and vice.[43] Stern warnings to the emperor were often issued. Theognostos, for example, wrote that during the Last Judgment the emperor would stand naked before God and give an account of all his misdeeds. As it was exceedingly difficult for rich people to enter the kingdom of God, it was even more difficult for an emperor to do so.[44] A counsel frequently found in the mirrors concerned the ability of the emperor to control his passions. The idea of the emperor's self-control, which goes back to the treatise of Isocrates, regularly figured also in contemporary imperial panegyrics. The authors of the mirrors spoke of self-control in general terms or demanded a specific demonstration conditioned by concrete circumstances.[45] Apokaukos stressed that Theodore Komnenos Doukas should control his anger against the author after he had not attended his coronation in 1227 in Thessaloniki. Nikephoros Blemmydes and Theognostos warned the ruler against the sin of adultery. Blemmydes in particular went as far as to argue that ancient empires had fallen because of adultery; he pointed to the Medes, the Persians, and the fall of Constantinople to the Latins in 1204.[46]

A third tenet of kingship held that the emperor occupied a public post and was not merely a private person.[47] This idea, which reflected Roman legalistic conceptions of public office, was never an important element of imperial panegyrics. In the mirrors, however, ideas of public power served as a basis for laying down prescriptions for imperial conduct. The lawyer Demetrios Chomatenos wrote that adherence to the public good was the

[42] Agapetos the Deacon, 74, chs. 69–70; 76, ch. 71; Pseudo-Basil, 51, ch. 4; 52, ch. 6; 52, ch. 14; 63, ch. 38; 66, ch. 45; Vasil'evskii, "Epirotica saeculi XIII," 287.6 ff.; Magistros, *On Kingship*, ch. 2, 31.66–67.

[43] *Theodori Ducae Lascaris Epistulae*, Appendix III: *Nicephori Epistulae*, no. 13, 303. 1–2. ἔστι δὲ λόγος ἠθικὸς καταδρομὴν τῆς κακίας ποιούμενος καὶ τὴν ἀρετὴν ἐπαινῶν.

[44] *Theognosti Thesaurus*, 198.56–59. Cf. Blemmydes, *Imperial Statue*, 54, ch. 37; Magistros, *On Kingship*, ch. 6, 38.218–25.

[45] For a general comment in this sense, see Blemmydes, *Imperial Statue*, 46–48, chs. 8–16; 70, ch. 90; 72, ch. 96; Magistros, *On Kingship*, ch. 3, 32–33; ch. 25, 74–75; Theodore II Laskaris, *Six Discourses on the Natural Communion*, PG, vol. 140, col. 1359A.

[46] Blemmydes, *Imperial Statue*, 50–54, chs. 20–33. Cf. *Theognosti Thesaurus*, ed. J. Munitiz, 197.7–10, 197.28–32.

[47] See Agapetos the Deacon, 70, ch. 66; Pseudo-Basil, 50, ch. 1; Blemmydes, *Imperial Statue*, 44, ch. 2.

highest criterion for judging the emperor's actions. Whenever the Epirote ruler and his tribunal pronounced judicial sentences in the name of the public good, as in the case of the execution of a dangerous bandit, the ruler acted as a public official and did not have to do penance. By contrast, when the emperor engaged in a private vendetta, then he no longer acted on behalf of the public good, overstepped the boundaries of ecclesiastical law, and had to perform penance. In the same vein, Chomatenos noted that as a public figure the emperor had to use the wealth of the state for the benefit of the subjects and not for his own.[48] Thomas Magistros also considered generosity to be the main duty of the public office of the emperor. The moment when the emperor ceased to be munificent or acted against "the public weal" (*koine opheleia*), he became a private individual.[49] In addition, the emperor became inferior to people of private rank when he lost control over his passions.[50]

The fourth and last tenet of imperial rulership implicit in all mirrors concerned the supreme and absolute authority of the emperor. The mirrors traditionally exhorted the emperor to be caring for his subjects, on whose life and well-being he was able to exert significant influence.[51] Various epithets expressing the idea of the emperor's caring nature were used – doctor, shepherd of the people, helmsman, father, and "fundament of the people" (*basis tou laou*), a pun on the Greek word for emperor (*basileus*).[52] Most of these epithets are found in contemporary panegyrics. The mirrors also gave numerous pieces of practical advice as to how emperors should exercise their wide-ranging prerogatives over the appointment of officials, administration of justice, collection and redistribution of wealth, and military leadership. All the mirrors exhorted the emperor to select able and honest officials, thus assuming that he had the ultimate say in appointing and dismissing his functionaries. The role of the emperor as a supreme judge was omnipresent

[48] Chomatenos, ed. Prinzing, no. 110, pp. 365.75–366.104.

[49] Magistros, *On Kingship*, ch. 5, 36.187–37.190; ch. 14, 53.601–03.

[50] Magistros, *On Kingship*, ch. 3, 32.85–91. Cf. ch. 2, 31.64–66: "goodness" distinguishes the emperor from private people.

[51] See, for example, Magistros, *On Kingship*, ch. 15, 55.643–47.

[52] Doctor: Blemmydes, *Imperial Statue*, 54, ch. 36; 92–94, chs. 151–154; Magistros, *On Kingship*, ch. 8, 43.342–48; ch 19, 62–63. Shepherd of the people: Blemmydes, *Imperial Statue*, 58, ch. 49; Magistros, *On Kingship*, ch. 14, 54.626–30, Helmsman: Nikephoros Blemmydes, *Imperial Statue*, 92, chs. 149–50; Magistros, *On Kingship*, ch. 14, 53.611–54.616. Father: Blemmydes, *Imperial Statue*, 66, ch. 79; Magistros, *On Kingship*, ch. 11, 47.446–50. Fundament of the people: Vasil'evskii, "Epirotica saeculi XIII," no. 25, 287.31–35; Blemmydes, *Imperial Statue*, 46, ch. 8. See Theophylaktos of Ohrid's mirror of princes addressed to Constantine Doukas: Gautier, *Théophylacte d'Achrida*, 195.11. This expression reflects a popular etymology of the word emperor (βασιλεύς = βάσις λαοῦ) found in a twelfth-century etymological lexicon. See *Etymologicum magnum*, ed. T. Gaisford (Oxford, 1848; repr. Amsterdam, 1965), 189.

in the mirrors. Notably, the mirrors always called on the emperor to obey the laws established before him.[53] Thus they envisioned a solution to "the basic problem" of the Byzantine constitution, namely the emperor's stance with respect to the law. In contrast to court rhetoric and propaganda, which placed the emperor above the law, the mirrors made the emperor subject to the law.[54] Traditionally, the mirrors advocated the principle of universal and impartial imperial justice. Agapetos the Deacon in the sixth century and Thomas Magistros in the fourteenth urged the emperor to administer justice without taking into consideration friendships and enmities.[55]

The mirrors discussed too the economic role of the emperor in terms of revenue collection and generous acts. Generosity was a central virtue of the emperor, although specific advice on the subject of taxation tended to be somewhat vague. Agapetos the Deacon and Pseudo-Basil urged the emperor to avoid greed.[56] It is significant that this condemnation of avarice often evolved in late Byzantium into admonition against the introduction of new taxes.[57] At the same time, the mirrors urged the ruler to redistribute the collected tax wealth speedily and to avoid the practice of hoarding.[58] In addition, they advised the emperor to show no favoritism in his generosity and to be openhanded toward all his subjects.[59] By all means, it was stated, the emperor should not appear to be responding to favors offered to him by individual subjects and should not put himself in the position of a debtor.[60] The emperor, the mirrors pointed out, had a special obligation to the poor; his charities were an imitation of God's generosity and helped him to attain salvation.[61] This image of imperial generosity – not responsive and for the benefit of the socially

[53] Agapetos the Deacon, 42, ch. 27; Pseudo-Basil, 61, ch. 32; Blemmydes, *Imperial Statue*, 114, ch. 212; Magistros, *On Kingship*, ch. 6, 38.236–39.240, urging Andronikos II not to act contrary to the law; ch. 24, 71–74, dealing with illegal claims of the imperial fisc on intestate inheritance.

[54] The evidence of the mirrors has been taken into account by Dieter Simon in his study on the emperor's stance with respect to the law. See D. Simon, "*Princeps legibus solutus*. Die Stellung des byzantinischen Kaisers zum Gesetz," in D. Nörr and D. Simon (eds.), *Gedächtnisschrift für Wolfgang Kunkel* (Frankfurt am Main, 1984), 481–82.

[55] Agapetos the Deacon, 52, ch. 41; Magistros, *On Kingship*, ch. 17, 59–61.

[56] Agapetos the Deacon, 30, ch. 7; Pseudo-Basil, 52, ch. 8; 61–62, ch. 34; cf. Blemmydes, *Imperial Statue*, 64, ch. 67.

[57] See, for example, Blemmydes, *Imperial Statue*, 64, ch. 72 ("excessive taxation and fraudulent exaction of tribute is bad"). For the views of Blemmydes and Magistros on taxation, see chapter 9, pp. 292 ff.

[58] Pseudo-Basil, 58, ch. 24* (this chapter is found in some of the manuscripts); *Theognosti Thesaurus*, 197.25–26; Magistros, *On Kingship*, ch. 13, 52.574–78; Metochites, *Miscellanea*, ch. 83, 546–47.

[59] Agapetos the Deacon, 38, ch. 19 (urging the emperor to be a common benefactor of all, κοινὸς εὐεργέτης); 68, ch. 63; Pseudo-Basil, 57, ch. 22; 70, ch. 57.

[60] Agapetos the Deacon, 60, ch. 50; Pseudo-Basil, 70, ch. 57.

[61] Agapetos the Deacon, 40, ch. 8; 56, ch. 45; 60, ch. 51; 62, chs. 52–53; 66, ch. 60; Pseudo-Basil, 63, ch. 37; 68–69, chs. 51–52.

disadvantaged members of society – corresponds to a great extent to its propagandist presentation in panegyrics.

Were there cases of departure from the accepted tenets of the monarchy in the mirrors composed after 1204? Such innovation is seen primarily with regard to the unusual amount of attention paid to the taxation rights of the imperial office – a focus in the literature of the mirrors of princes which we will discuss in chapter 9. A notable development during the thirteenth century was the spirit of realism and pragmatism of the mirrors of princes. This new spirit led to questioning of ideals of the philosopher-ruler. Chomatenos pointed out that the emperor did not need to possess the perfection of an apostle or an ascetic philosopher, but instead his main duty was to be a warrior and an assiduous collector of wealth. As it will be shown further, Theodore II Laskaris also rejected the identification between kingship and philosophy.[62] Similar pessimism about the connection between philosophy and rulership runs through the philosophical writings of Theodore Metochites. Metochites had already criticized the Platonic ideal of the philosopher-king in his treatise on education, one of his early philosophical works.[63] Later on, in his *Miscellanea*, he subjected to scorching criticism the writings of the ancient philosophers on government and noted their inapplicability in the real world.[64] He specifically pointed to Plato, Aristotle, and Zeno, and contrasted their philosophical and abstract theories with the practical laws of Numa Pompilius.[65]

A novelty in the mirrors of princes during the eleventh century, in particular the works of Kekaumenos and Theophylaktos of Ohrid, had been the emphasis on military virtues.[66] This new trend continued in late Byzantine mirrors of princes, all of which urged the emperor to make ready for war.

[62] Chomatenos, ed. Prinzing, no. 110, 365.68–71: "Reason indeed does not require from the emperor the perfection of an apostle or philosopher or hermit, but a perfection appropriate for emperors"(Τὸν βασιλέα τοίνυν ὁ λόγος οὐκ ἀπαιτεῖ οὔτε ἀποστολικὴν οὔτε φιλόσοφον, εἴτ' οὖν ἀσκητικὴν τελειότητα, ἀλλὰ τὴν βασιλεῦσιν ἁρμόζουσαν). See chapter 7, p. 238.

[63] I. Polemis, *Θεόδωρος Μετοχίτης. Ἠθικὸς ἢ περὶ παιδείας* (Athens, 1995), 170–171.

[64] Metochites, *Miscellanea*, ch. 80, 524–32. The title of the chapter is indicative of its contents: "That most or nearly all philosophers devoted themselves to talking, as they were of no use for political theory" (ὅτι τῶν φιλοσόφων οἱ πλείους ἢ πάντες σχεδὸν περὶ τὸ λέγειν διέτριψαν μόνον, μὴ χρήσιμοι γενόμενοι ταῖς περὶ τὸ πολιτικὸν θεωρίαις).

[65] Ibid., *Miscellanea*, 529–31.

[66] A. Kazhdan, "The Aristocracy and the Imperial Ideal," *The Byzantine Aristocracy, IX to XIII Centuries*, ed. M. Angold (Oxford, 1984), 43–57. See Kekaumenos, no. 87, 292–98; Gautier, *Théophylacte d'Achrida*, vol. 1, 207. Genadii Litavrin, the editor of the advice tract of Kekaumenos, has dated (Kekaumenos, 566–67) the work to the reign of the emperor Michael VII (1071–78). Agapetos and Pseudo-Basil had little to say about war. Agapetos the Deacon, 68, ch. 62, states simply that the emperor will defeat his enemies with God's support; Pseudo-Basil, 67, ch. 47; 71–72, ch. 61, stresses the value of peace.

The mirrors thus reflected the importance of warfare in the late Byzantine world and paralleled the preoccupation of contemporary imperial propaganda with military virtues. In the *Imperial Statue* Nikephoros Blemmydes gave counsels concerning specific military exercises that he thought the emperor and the army ought to practice or shun. In *On Kingship* Thomas Magistros urged the emperor to exercise his body in peacetime through frequent hunting expeditions so as to be prepared for the demands of long and taxing campaigns. Theodore Metochites considered that one of the chief duties of the emperor was to be prepared for war. All three thinkers – Blemmydes, Magistros, and Metochites – pointed out that the navy should constitute an essential part of the Byzantine military, a statement which had particular relevance after the dismantling of the Byzantine fleet in the mid-1280s.[67] While the theorists of kingship emphasized the military functions of the emperor, they considered war to be a defensive enterprise undertaken in response to a past wrong. Thus Thomas Magistros instructed Andronikos II that he should declare war only when enemies had wronged him in the past.[68] Peace was considered superior to war, and the purpose of war was presented as an effort to reestablish peace.[69] In addition, the theorists of kingship urged the emperor to avoid bloodshed and put an end to war as speedily as possible.[70] These pieces of advice articulated the traditional Aristotelian ideology of just war, on which a militarized and chivalric imperial ideal was superimposed.[71] The simultaneous emphasis on just war and on military values demonstrates the conservatism of the Byzantine mirrors of princes as well as their flexible ability to accommodate novel ideas imposed by the demands of reality.

We can draw several conclusions from our comparative examination. The mirrors of princes before and after 1204 share several common ideas

[67] Blemmydes, *Imperial Statue*, 82–95, chs. 123–54; Magistros, *On Kingship*, ch. 8, 41–43; Metochites, *Miscellanea*, 515–20, ch. 78 entitled: ὅτι καὶ πρὸς τὸ πολεμεῖν παρασκευαστέον τῷ πολιτικῷ.

[68] Magistros, *On Kingship*, ch. 7, 40.273 ff.

[69] On the value of peace, see Pseudo-Basil, 67, ch. 47; 71–72, ch. 61; Magistros, *On Kingship*, ch. 8, 41; Metochites, *Miscellanea*, 511–15, ch. 77, which is entitled "ὅτι παντὶ τρόπῳ τῷ πολιτικῷ ἀντιποιητέον εἰρήνης." The chapter on peace immediately precedes the one on war.

[70] *Theognosti Thesaurus*, ed. J. Munitiz, 197.39–198.42; Blemmydes, *Imperial Statue*, 88–90, chs. 141–142: one should bring the battle to a rapid conclusion. J. Munitiz, "War and Peace Reflected in Some Byzantine *Mirrors of Princes*," in T. Miller and J. Nesbitt (eds.), *Peace and War in Byzantium: Essays in Honor of George T. Dennis* (Washington, 1995), 50–61, has considered the "militarization of the imperial idea" observed by Kazhdan to have remained a transient social attitude characteristic of the eleventh century. The suggested alternative – the ideology of just war – does not necessarily contradict a more chivalric and militarized portrait of the emperor both in the mirrors of princes and in imperial panegyrics.

[71] On the Byzantine ideology of just war influenced by Aristotle, see A. Laiou, "On Just War in Byzantium," in J. Langdon et al. (eds.), *To Hellenikon: Studies in Honor of Speros Vryonis, Jr.* vol. 1: *Hellenic Antiquity and Byzantium* (New Rochelle, 1993), 153–77.

about imperial authority, most of which figure also in court rhetoric: sacral rulership, and the emphasis on the self-control and the warrior functions of the emperor. Other ideas in the mirrors find no parallel in propaganda: the emperor's humanity, his accountability to the law, and the public nature of the imperial office. Thus Roman conceptions of public governance maintained a flickering existence in the courtly precepts of the Byzantines.

In search of an alternative theoretical discourse

The picture of continuity of political ideas after 1204 within the traditional genre of the mirror of princes is in many ways deceptive. A number of new developments, both within but mostly outside the mirrors of princes, characterize secular theoretical thought on the imperial office in the thirteenth and the fourteenth century. The mirror of princes was not, in fact, the dominant genre of political theorizing in late Byzantium. There were several alternative literary contexts in which authors engaged in a discussion of the nature and functioning of monarchical authority.

The first novelty was the composition of treatises on the duties of the imperial subjects. The model for this type of work was classical. In antiquity Isocrates had appended to his instructive mirror of princes addressed to the Cypriot king Nicocles a special work on the obligations of his subjects. This ancient genre underwent a sudden revival in the thirteenth century, yet the Byzantine specimens are vastly different from the work of Isocrates. In his treatise the emperor Theodore II Laskaris presented "friendship" (*philia*) as the main principle of relationship between subjects and masters. He discussed friendship in an idiosyncratic fashion strongly influenced by Aristotle's *Nicomachean Ethics*.[72] The other treatise on the duties of the subjects is Thomas Magistros' *On the Polity*, where the author strove to instruct his fellow citizens of Thessaloniki, not the imperial subjects at large, in social conduct and almost entirely ignored the role of the emperor.[73]

In the second place, the period after 1204 saw the composition of political treatises of a non-didactic nature which discussed the theory of kingship. Such is the case of the short tract of Manuel Moschopoulos on the origin and operation of the monarchy.[74] In his collection of essays on philosophical and historical subjects entitled *Sententious Remarks* (*Semeioseis gnomikai*), commonly known as the *Miscellanea*, Theodore Metochites devoted a number of

[72] See chapter 7, pp. 215–26. [73] See chapter 9, pp. 297–98, 303–05.

[74] See chapter 10, pp. 321 ff.

chapters to various aspects of political theory and to social issues which preoccupied him.[75] He bemoaned the decline of the empire (an entity subject to the inexorable law of the rise and fall of states), discussed the importance of imperial finances, described and assessed the three constitutional forms of government (democracy, aristocracy, and kingship), and offered a critique of the political philosophy of the ancient Hellenes. The essay "On Kingship" (essay 98) resembles closely a mirror of princes, yet it was a mirror which addressed not an emperor, but Metochites' own consciousness and an audience of contemporary literati among whom the work was meant to circulate. The publication of *Miscellanea* has been dated to about 1326–27, that is, to the very end of Andronikos II's reign and during the period of the First Civil War.[76] The essays thus provide a unique insight into the political ideas of Metochites at a time when he had reached the summit of his authority, had already gained a considerable practical experience, and was the real power behind the Byzantine throne.

In the third place, the subject of kingship was discussed after 1204 in untraditional genres beyond the political treatises, such as philosophical works and military manuals. For example, Theodore II Laskaris reflected on issues of political theory in treatises on natural philosophy.[77] Theodore Palaiologos (1291–1338), marquis of Montferrat and second son of Andronikos II and Eirene-Yolanda of Montferrat, composed a work that was both a mirror of princes and a military manual. A unique figure among late Byzantine literati as a naturalized Westerner, Theodore Palaiologos of Montferrat deserves a fuller portrait. He left Byzantium in 1305 at the age of fourteen, having been married to a Genoese woman, and became the marquis of Montferrat on the death of Yolanda's brother John. He returned to his old homeland twice, in 1317–19 and again in 1325–27, when he served as an intermediary in unionist negotiations between Byzantium and the papacy. During his second visit, which coincided with

[75] The designation *Miscellanea* derives from the first edition of the work by G. Müller and T. Kiessling, *Miscellanea philosophica et historica* (Leipzig, 1821, repr. Amsterdam, 1966) (cited as Metochites, *Miscellanea*). In the first volume of the critical edition of the *Miscellanea*, K. Hult, *Theodore Metochites on Ancient Authors and Philosophy: Semeioseis gnomikai 1–26 & 71*, with a contribution by B. Bydén (Göteborg, 2002), xiv–xv, has shown that the original Greek title of the essays collection was *Sententious Remarks*. The political ideas of Metochites in the *Miscellanea* have received modest attention. See K.-P. Matschke, *Fortschritt und Reaktion im Byzanz im 14. Jahrhundert* (Berlin, 1971), 44–45; E. de Vries-van der Velden, *Théodore Métochite. Une réévaluation* (Amsterdam, 1987), 199–231. H.-G. Beck's classic study of the *Miscellanea* deals with Metochites' world view in general: H.-G. Beck, *Theodoros Metochites. Die Krise des byzantinischen Weltbildes im 14. Jahrhundert* (Munich, 1952).

[76] De Vries-van der Velden, *Théodore Métochite*, 261–62.

[77] See chapter 7, pp. 213–14 and *passim* for Theodore II Laskaris' treatises *Six Discourses on the Natural Communion* and *Explanation of the World*.

the civil war between the two Andronikoi, Theodore mediated between the rival emperors and apparently also hoped to persuade his father to make him the heir to the throne.[78] According to Theodore's preface, he wrote the treatise in Greek in about 1327 after having witnessed the poor governance of the empire and before having to return to Italy "due to the envy of some Greek magnates." The treatise, he says, was the only service he could offer to his country of birth. Theodore remarked that "his masters and friends" gave him permission to leave Byzantium, and the use of the plural implies that both Andronikos II and Andronikos III were among the intended audience of the treatise.[79] Feeling at home both in the Greek East and in the Latin West, Theodore of Montferrat presented some non-Byzantine ideas, such as a system of seven royal virtues and an injunction as to the conduct of the ruler during mass.[80] Unfortunately, his treatise survives not in the original, but in a French translation of Theodore's poor Latin rendering of the Greek. A small portion of the Latin translation made by the author has come down to us in the chronicle of Montferrat by Benvenuto di San Giorgio (d. 1527).[81] The French translator, Jean de Vignay, found the treatise interesting enough to rededicate it to the French king Philip VI of Valois (1328–50) and introduced unidentifiable additions and literary embellishments, which makes it nearly impossible to isolate the original material composed by Theodore of Montferrat.

Another context also outside the mirrors for the articulation of theoretical ideas on imperial power was not that unusual or innovative. The writing of histories and chronicles in Byzantium traditionally provided their authors with the opportunity to engage in political commentary and criticism. The theoretical assumptions of the critically minded historians present special interest. As in the twelfth century, *Kaiserkritik* in historical works after 1204 is a rich source on political thought. Furthermore, criticism of imperial policy established itself as a characteristic and a motive force of political

[78] C. Knowles, *Les enseignements de Théodore Paléologue* (London, 1983), 1–6 (C. Knowles' preface); Laiou, *Constantinople and the Latins*, 302–03, 326. Cf. Gregoras I, 396; Kantakouzenos I, 256–57; III, 12. On Knowles' edition see the critical review by A. Laiou, *Speculum*, 59 (1984), 917–19.

[79] Knowles, *Enseignements*, 35, 40–41 (his decision to leave Byzantium after consulting his "masters and friends"). Cf. her preface, ibid., 5.

[80] Ibid., 59–74.

[81] Benvenuto di San Giorgio, *Historia Montis Ferrati*, in L. Muratori, *Rerum Italicarum Scriptores*, vol. 23 (Milan, 1733), cols. 450–57; Knowles, *Enseignements*, 25–41. In the epilogue (See C. Knowles, *Enseignements*, 112) Theodore mentions that he himself made the translation from Greek into Latin. Benvenuto di San Giorgio, *Historia Montis Ferrati*, col. 450, adds that Theodore produced the translation in 1330 in the city of Vercelli. On the French translator see C. Knowles, "Jean de Vignay, un traducteur du XIVe siècle," *Romania*, 75 (1954), 353–83.

discussion outside historical works. One gains the impression that authors of mirrors of princes chose to compose advice treatises of this sort in order to voice their strong dissatisfaction with the poor governance of the empire. Examples of such criticism are plentiful, and some may be cited here. In the *Imperial Statue* Blemmydes pointed out that officials of his own day fell short of the great paragons of the past.[82] In *On Kingship* Thomas Magistros objected to the venality of city governors of his time, most probably having in mind the case of his native city of Thessaloniki.[83] Theodore Palaiologos of Montferrat urged the ruler not to rely on a single counselor – having in mind the chief minister of Andronikos II, Theodore Metochites, whom he blamed elsewhere for introducing rampant corruption during the "twenty years or more" of his political ascendancy.[84] This dissatisfaction with the way in which the empire was governed sometimes evolved into polemics on the principles of kingship, such as the polemic between Blemmydes and Theodore II Laskaris discussed in chapter 7 or the polemic on taxation discussed in chapter 9.

The new forms and the new critical spirit of theoretical discussion after 1204 were constrained by a curious, characteristically Byzantine lack of interest in non-monarchical constitutions. This circumstance, which we have already noted in the introduction, needs to be explained further and qualified to some degree.[85] The lack of interest in non-monarchical constitutions was not the result of ignorance, but rather was due to a deeply held conviction of the superiority of kingship as a form of political organization. Knowledge of non-monarchical constitutions is well attested in Byzantium. A prolegomenon to the corpus of Hermogenes and Aphthonios, dating to the middle Byzantine period or earlier, mentions the composition of rhetorical exercises on the three classical forms of government, that is, monarchy, aristocracy, and democracy, in the context of school studies of rhetoric.[86] In the thirteenth century Manuel Holobolos refers to his disciples being required to write such exercises during rhetorical studies.[87] In his *Miscellanea* Metochites discussed the three classical forms of government

[82] Blemmydes, *Imperial Statue*, 98, ch. 165.
[83] Magistros, *On Kingship*, ch. 12, 48–50 (dealing with the administration of the cities), esp. 49.505–50.521.
[84] C. Knowles, *Enseignements*, 53–57, 108. The direct criticism of Metochites belongs to the epilogue, which was written after the end of the First Civil War in 1328. Cf. C. Knowles' preface, 4–5.
[85] See Introduction, pp. 23–25.
[86] *Prolegomenon Sylloge*, ed. H. Rabe (Leipzig, 1931, repr. 1995), xxx–xxxix, 39–41. The earliest surviving manuscript of this prolegomenon dates to the tenth century; its date of composition is unknown.
[87] Holobolos, *Orationes*, 96.

and may have been influenced by this school exercise. Furthermore, late Byzantine authors knew that the Italian city-states were governed differently from the empire and called them democracies and aristocracies.[88]

Familiarity with constitutional differences did not mean appreciation of non-royal constitutions, however. The traditional Byzantine view considered governmental forms other than the monarchy to be by nature unstable: the word "democracy" itself was synonymous with mob rule and chaos.[89] In his first imperial oration on Michael VIII, Holobolos described how the community of Genoa had acknowledged the weakness of its democratic constitution by concluding the treaty of Nymphaion in March 1261 and had thus preferred subjection to the Byzantine monarchy.[90] In the first half of the fourteenth century Metochites described Genoa as torn apart by civil war between the Ghibelline and Guelph factions. He reasoned that it was the instability inherent in democratic constitutions that made internecine conflict possible in the first place and referred to the rise of demagogues in ancient Athens. Metochites as well as Moschopoulos also considered aristocracy to be by nature an unstable constitution.[91] John Kantakouzenos concurred with this opinion. In his historical memoirs he described a meeting of the Byzantine senate – the body of high imperial dignitaries – at the beginning of the Second Civil War (1341–47). A certain official, low in the hierarchy, brazenly dared to speak first, without having waited to hear the views of his superiors. After an awkward silence set in, another official, apparently a Kantakouzenist, responded: "What now? Should we make the empire of the Romans a democracy where everyone can counsel

[88] Gregoras and Metochites called Genoa a democracy. See Gregoras I, 548.4; Metochites, *Miscellanea*, ch. 96, 616–18. In another passage Gregoras (II, 687) described how the democracies and the aristocracies in the West entered a period of civil unrest. Elsewhere (Gregoras II, 796) the historian mused upon the way in which one should describe the Zealot commune in Thessaloniki – it did not fit into the classical constitutional types nor did it represent a mixed constitution. In the end Gregoras called it a strange kind of ochlocracy. Pachymeres knew that the Genoese and Venetians had popular assemblies. See Pachymeres I.i, 219.30; II.iii, 271.1; II.iv, 357.23–24, 493.24, 543.4. For a discussion of Pachymeres', Gregoras' and Kantakouzenos' knowledge of Italian political affairs and their individual perspectives, see A. Laiou, "Italy and the Italians in the Political Geography of the Byzantines (14th Century)," DOP, 49 (1995), 73–98.
[89] G. Bratianu, "Empire et 'démocratie' à Byzance," BZ, 37 (1937), 86–111. For an example of the traditional view of democracy as "chaos" and "rebellion," see the eleventh-century historian Michael Attaleiates, *Michaelis Attaleiatae Historia*, ed. W. Brunet de Presle and I. Bekker, CSHB (Bonn, 1853), 52–53.
[90] Holobolos, *Orationes*, 12.
[91] Metochites, *Miscellanea*, ch. 96, 604–18 (on democracy with examples drawn from classical Athens and contemporary Genoa), ch. 97, 618–25 (on aristocracy); ch. 98, 625–42 (on monarchy, the best constitution). For Manuel Moschopoulos, see L. Levi, "Cinque lettere inedite di Manuele Moscopulo," *Studi Italiani di filologia classica*, 10 (1902), 64.

and speak whatever he thinks about greater and lesser matters and compel the superiors to respect what is decided?"[92] In John Kantakouzenos' opinion this was a preposterous suggestion, and there is no indication that any of his contemporaries took issue with him.

In fact, arguments in support of a democratic constitution were known in late Byzantium. The historian George Pachymeres was the author of a rhetorical exercise on an old theme set by Hermogenes: an imaginary defense speech of the Athenian politician Pericles against accusations that he was planning to impose tyranny. Pericles' alleged response was that of a convinced advocate of democracy. He is supposed to have said that in a democracy everyone was free and no one was enslaved, while with a monarchy the king occasionally had foibles.[93] This opinion expressed in a rhetorical exercise may perhaps be dismissed as a case of literary antiquarianism. In his *History* Pachymeres never questioned the monarchical constitution. Quite on the contrary, the historian put in the mouth of the supporters of Michael VIII's usurpation the traditional view on the best constitution; they are alleged to have said, "we would be amazed should someone want to govern the polity of the Romans in any way other than a monarchy."[94] Yet it is noteworthy that a literatus familiar with arguments supporting non-monarchical regimes, such as Pachymeres, was also critical of Palaiologan autocratic policies. His profound dislike of the mismanagement of public tax wealth by the Palaiologan emperors will merit our special discussion in chapter 8.

Finally, we must note that the view of the monarchy as the only admissible constitution was not a result of ignorance of ancient political discussions. The circulation of Aristotle's *Politics* is a case in point. The *Politics* was transmitted in Byzantium together with the rest of the Aristotelian corpus in numerous late medieval manuscripts.[95] Interest in the *Politics* was another matter, however, and it was modest at best. In the early twelfth century Michael of Ephesos produced scholia on the *Politics*, where occasionally

[92] Kantakouzenos II, 21.The official who spoke these words was a certain Demetrios Tornikes.

[93] AG, vol. 5, 354–55 (= J. Boissonade, *Georgii Pachymeris Declamationes XIII* (Paris, 1848), 4–5). Cf. Hermogenes, *On Issues*, in *Hermogenis opera*, ed. H. Rabe (Leipzig, 1913), 51.3 ff.; Joseph the Philosopher, *Summation of Rhetoric*, in Walz, *Rhetores Graeci*, vol. 3, 487.2 ff.

[94] Pachymeres I.i, 109.31–111.2. This was the alleged opinion of Constantine Tornikes and Theodore Philes (both blinded at Theodore II's orders), who advocated Michael Palaiologos' promotion to the rank of Despot.

[95] A. Dreizehnter (ed.), *Aristoteles' Politik. Eingeleitet, kritisch hrsg. und mit Indices versehen* (Munich, 1970), XXI, n. 61, xxiii–xxxix, has counted fifty-one manuscripts of the *Politics* (thirty-two complete, three fragmentary and sixteen excerpts). All manuscripts are late Byzantine, apart from the tenth-century Vat. gr. 1289, which contains also the fragment of the Justinianic dialogue *On Political Science*. See also A. Dreizehnter, *Untersuchungen zur Textgeschichte der aristotelischen Politik* (Leiden, 1962).

he criticized what he considered to be the autocratic policies of the Komnenoi.[96] Theodore Metochites mentioned the *Politics* in his *Miscellanea* and appears to have read at least a section of the work.[97] Yet he was unreceptive to the political speculation of Aristotle, as he was in general to the political thought of the ancients, which he dismissed as utopian and impracticable. Metochites remarked that philosophers of old such as Plato, Aristotle, and Zeno had feared public scrutiny of their unrealistic social theories. Unlike him, these ancient philosophers were by nature apolitical, never daring to occupy a state office, although, paradoxically and disappointingly, they took to writing a political philosophy which bore the imprint of their inactive lifestyle.[98] The limited Byzantine reception of Aristotle's *Politics* contrasts with the eager absorption of the work in the late medieval West. We have already discussed the causes for the different reception, causes which are related to the specificity of intellectual life and politics in the late medieval West. Yet Aristotle's *Politics* was just a single work of classical political and social theory. Therefore it alone does not permit any definitive conclusion about the Byzantine receptiveness to ancient political philosophy. Some authors indeed proceeded to make creative use of ancient philosophical theories, although in a specifically Byzantine context: a theoretical discussion of the monarchy. Two late Byzantine thinkers stand out – Theodore II Laskaris and Manuel Moschopoulos.

[96] *Aristotelis Politica*, ed. O. Immisch (Leipzig, 1909), 295–329. The passages critical of the Komnenoi have been translated by Barker, *Social and Political Thought in Byzantium*, 136–41.

[97] Metochites, *Miscellanea*, ch. 96, 615, where the author mentions the *Politics* of Aristotle and in particular the idea that the relationship between masters and servants in a single household mirrors that in the city and in any polity.

[98] Metochites, *Miscellanea*, ch. 80, 524–32, entitled "That most or nearly all philosophers devoted themselves solely to talking, and were not useful for political activities" (one of the better manuscripts has "political theory" instead of "political activities"); ch. 81, 532–37.

CHAPTER 7

Theodore II Laskaris as a political thinker

Theodore II Laskaris is an unusual figure in the history of late Byzantine political thought. A learned crown prince and an emperor, he wrote about politics in a number of philosophical and literary works. During his brief reign (1254–58) Theodore II pursued daring political reforms. These reforms upset the Nicaean political elite to the extent of provoking a reaction among a group of disgruntled aristocrats after Theodore II's death: the aristocrats toppled the Laskarid dynasty and installed the first Palaiologan emperor, Michael VIII. As a political theorist Theodore II Laskaris attempted to justify ideologically his radical anti-aristocratic policies. In so doing, he arrived at some extraordinary formulations that merit our attention. Laskaris was an exceedingly prolific writer, a fact which is even more remarkable when one considers that he lived for only thirty-six years. We are in the privileged position of being able to trace the development of Laskaris' ideas over time, because many of his works have been transmitted with titles indicating whether the author wrote the piece before or after his imperial accession in November 1254.

Neither as an emperor nor as an intellectual has Theodore II Laskaris attracted the attention he deserves. His only modern biography is that by Ioannes Papadopoulos published in Paris in 1908. This study is brief, however, and fails to take into account a number of important sources; its analysis is often simplistic.[1] The most detailed treatments of Theodore II's political ideas are to be found in Margarita Andreeva's monograph on Byzantine court life in the thirteenth century and in a series of articles that includes her seminal study on aspects of the polemic between Theodore II

[1] J. Papadopoulos, *Théodore II Lascaris, empereur de Nicée* (Paris, 1908). Cf. N. Festa's critique, BZ, 18 (1909), 213–17.



Plate 1. Theodore II Laskaris, Codex Monacensis gr. 442 (14th c.), f. 7 verso, Beyerische Staatsbibliothek, Munich



Plate 2. Theodore II Laskaris, gold *hyperpyron*, 1254–1255, courtesy of the Coin Department, The Barber Institute of Fine Arts, University of Birmingham

and his teacher, the polymath Nikephoros Blemmydes.[2] Andreeva, like Papadopoulos, was unaware of many of Theodore II Laskaris' literary and political works, which were unpublished at the time. Today we are much better equipped to undertake a study of Theodore II Laskaris, thanks to the recent editions of his rhetorical and political works by Sophia Georgiopoulou and Luigi Tartaglia.[3]

Our examination of Theodore II Laskaris' political ideas will begin by looking at his life experience, his reformist policies, and the dates and circumstances of composition of his most important works. Then we shall proceed to investigate two ways in which Theodore II distinguished himself as an innovative political thinker of the thirteenth century: his systematic efforts to articulate an anti-aristocratic ideology and his glorification of hatred and tyranny as political values.

[2] M. Andreeva, *Ocherki po kul'ture vizantiiskago dvora v XIII veke* (Prague, 1927), 102–112; Andreeva, "Názory Theodora II. Laskarise na ideálního panovníka," in *Z dějin východní Evropy a slovanstva. Sborník věnovaný Jaroslavu Bidlovi profesoru Karlovy University k šedesátým narozeninám* (Prague, 1928), 71–76; Andreeva, "Adresaty i datirovka dvukh pisem Nikifora Vlemmida," in *Sbornik statei, posviashchennykh Pavlu Nikolaevichu Miliukovu (1859–1929)* (Prague, 1929), 193–204; Andreeva, "Polemika Theodora II. Laskaria s Nikiforom Vlemmidom," in *Mémoires de la Société Royale des sciences de Bohême, classe des lettres, année 1929* (Prague, 1930), 1–36.

[3] Georgiopoulou and Tartaglia have published a number of Theodore II's rhetorical works, often identical ones. See S. Georgiopoulou, "Theodore II Laskaris as an Author and an Intellectual of the XIIIth Century," Ph.D. dissertation, Harvard University, 1990; *Opuscula rhetorica. Theodorus II Ducas Lascaris*, ed. L. Tartaglia (Munich, 2000) (cited hereafter as *Opuscula rhetorica*). Tartaglia's edition is mostly a reprint of texts he already published in the 1980s and 1990s.

THE AUTHOR, HIS LIFE, AND HIS WORKS

Theodore Laskaris was born in late 1221 or early 1222, approximately at the time when his father, John III Vatatzes, acceded to the throne of the Byzantine empire in exile in Nicaea. He was the only child born to the imperial couple – a hunting accident left his mother, the empress Eirene Laskarina, unable to bear more children.[4] There never was any doubt that Laskaris would one day inherit the throne, and he enjoyed official authority as co-emperor before his formal accession in 1254.[5] He spent much of his life in pursuits befitting an heir to the throne. In 1232 or 1233, approaching his eleventh birthday, he was betrothed to the Bulgarian princess Helena Asanina, daughter of Tsar Ivan II Asen (1218–41).[6] In 1235 the marriage was solemnly celebrated. Theodore II Laskaris was assigned to attend classes with the best teachers at court and rapidly advanced in his studies. He outshone his first mentor, a certain Zabliotes, and left a macabre satire of this unfortunate individual, who died in about 1244.[7] By contrast, Laskaris adored his two other teachers, and their instruction exerted a strong influence on his youthful and malleable mind.

The first of these teachers was the polymath Nikephoros Blemmydes. Blemmydes was not only Laskaris' teacher but also his spiritual counselor and advisor, and eventually, during his reign, a bitter opponent. On his accession Laskaris tried to coopt Blemmydes into the imperial government, at first as patriarch, and when the latter declined this office, he appointed him to the post of overseer of the monasteries. But Blemmydes soon withdrew from public affairs, disappointed by the heavy-handed methods of Laskaris and having objected to his taxation and ecclesiastical policies as well as to his trial of officials. He accused the emperor of impiety as he observed Laskaris' advancing illness, and claimed that God had abandoned him.[8] Laskaris' formal studies with Blemmydes seem to have been short (they were completed or interrupted in 1246), yet their impact was strong and long-lasting.[9] Laskaris read carefully Blemmydes' mirror of princes, the *Imperial Statue*, and used it as a source or foil for many of his own political ideas. His next teacher was the imperial secretary George Akropolites, also a student of Blemmydes, who began to instruct Laskaris in 1246 or 1247

[4] Gregoras I, 44. [5] See chapter 3, n. 7. [6] Akropolites I, 48–49.

[7] *Satira del pedagogo*, ed. L. Tartaglia (Naples, 1992) (*Opuscula rhetorica*, 154–97).

[8] On Blemmydes' conflict with Laskaris, see our discussion of the debates on taxation in chapter 9, pp. 292–96.

[9] On Theodore II's studies with Blemmydes, see C. Constantinides, *Higher Education in Byzantium in the Thirteenth and Early Fourteenth Centuries (1204–ca. 1310)* (Nicosia, 1982), 14–15.

and who taught him rhetoric and mathematics.[10] Sincere friendship bound Laskaris to Akropolites. Akropolites prepared some of Laskaris' letters for publication (1252) and the prince, in turn, composed a panegyric praising Akropolites for his intelligence.[11] Soon, however, after Laskaris' accession to the throne in 1254, this friendship was to be shattered. Suspecting Akropolites of acting disloyally during the diplomatic negotiations of a Byzantine–Bulgarian peace treaty, Laskaris ordered the imperial guard to whip him in public.[12] Akropolites fell by accident into Epirote captivity in 1257; once released after Laskaris' death, he became an ardent supporter of the new emperor, Michael VIII Palaiologos.

Laskaris possessed a forceful and complex personality. It certainly left its mark on his political ideas and actions, but its influence must not be overemphasized. His correspondence, consisting of 218 letters, is a detailed source on Laskaris' mental universe.[13] Although these letters do not always contain as much factual information as a modern historian would hope to find, they are indicative of the author's emotional life, social values, and personal ties of friendship. They reveal that Laskaris oscillated between a playful *joie de vivre* and pangs of conscience associated with austere Christian morality.[14] He was irate and sarcastic at times.[15] He was obsessed with the fear that he was surrounded by enemies who plotted against him and harbored grudges.[16] Affected with epilepsy (or a similar incapacitating disease) like his father, Laskaris was frequently ill. The personal content of these letters, coupled with Laskaris' occasionally violent policies and a tragic disease that led to his premature death, may mislead one into seeking to explain the

[10] This date for the onset of Laskaris' studies with Akropolites has been suggested by Constantinides in *Higher Education*, 17–18.

[11] A. Markopoulos, "Ἀνέκδοτον ἐγκώμιον πρὸς τὸν Γεώργιον Ἀκροπολίτην," EEBS, 36 (1968), 104–18 (*Opuscula rhetorica*, 96–108); Akropolites II, 7–9, where Akropolites praised Theodore in a laudatory poem introducing his letters.

[12] Akropolites I, 127–34.

[13] N. Festa, *Theodori Ducae Lascaris Epistulae CCXVII* (Florence, 1898) (cited as *Theodori Ducae Lascaris Epistulae*). Cf. the important review by A. Heisenberg, BZ, 9 (1900), 211–22. A lengthy letter by Laskaris to George Akropolites absent from Festa's edition has been published in *Opuscula rhetorica*, 2–22.

[14] In a letter to Akropolites before his accession Laskaris rebuked his friend for urging him to enjoy listening to music and feasting, something which ran contrary to pious Christian life. See *Theodori Ducae Lascaris Epistulae*, no. 54, 78–81. By contrast, in a letter to Blemmydes he described how his penchant for hunting had kept him away from scholarly studies. See ibid., no. 2, 6.

[15] Ibid., no. 78, 105–06.

[16] Theodore II Laskaris wrote a polemical discourse against his enemies at court and also a discourse addressed to an anonymous individual who was being secretive with him. See ibid., appendix II, 283–89; *Opuscula rhetorica*, 199–202. He also referred to his foes in his religious works, for example in his oration addressed to the Virgin. See Ch. Krikones, *Θεοδώρου Β' Λασκάρεως περὶ χριστιανικῆς θεολογίας λόγοι* (Thessaloniki, 1988), 155.

emperor's political ideals and actions as the product of a disturbed mind – the disturbed mind of a philosopher-king who had lost touch with the reality around him. This certainly was not the case. Laskaris' letters and other literary works are rich in information about his emotions because he chose to voice these in writing, unlike many contemporary Byzantine letter-writers who tended to follow epistolary conventions. One should scarcely be surprised to see a monarch seized by anger. Nor should one be astounded by the fact that a Byzantine emperor had enemies. Furthermore, Laskaris was a man of the world as much as a scholar: he liked hunting, mime shows, music, and the company of women.[17] In a word, he was a highly learned and also an impulsive man, but he never lost contact with daily reality and was not emotionally unbalanced.

Theodore II Laskaris' reformist policies during his reign aroused the ire of his former teachers, Blemmydes and Akropolites, but not everyone passed a negative judgment on him. Contemporaries who were less involved in Nicaean politics, such as the author of the *Synopsis Chronike* (probably identical with Theodore Skoutariotes) and people of later generations, such as George Pachymeres, left glowingly positive portraits of Laskaris.[18] Theodore II's reforms during his brief reign boiled down to a systematic effort to break down the power of a few aristocratic families, families that had held court titles and offices for generations and felt entitled to continue to play a prominent role in imperial politics. The historian George Pachymeres gives a long list of the families whose representatives gathered together on Laskaris' death to express their dissatisfaction with the policies of the late emperor.[19] Looking at the social profile of some of Laskaris' enemies may shed light on the nature of his policies. One of his enemies was the grand *primmikerios* Constantine Tornikes, dismissed from his office in 1255 for having proved himself incompetent during a Byzantine–Bulgarian war. Tornikes was the son of Demetrios Tornikes (d. ca. 1251), Vatatzes' *mesazon*. His grandfather Constantine Tornikes and great-grandfather Demetrios Tornikes had been logothetes of the drome in the service of the Angeloi emperors.[20] He had important family connections

[17] *Theodori Ducae Lascaris Epistulae*, no. 155, 217; no. 177, 228–29 (hunting); no. 188, 237 (a description of three traveling mimes); no. 215, 267–68 (music); no. 216, 269–70 (a reference to black-eyed girls).

[18] *Synopsis Chronike*, MB, vol. 7, 535–536; Pachymeres I.i, 61. On the disputed attribution of the *Synopsis Chronike* to Skoutariotes, see chapter 8, n. 11.

[19] Pachymeres I.i, 91–93. Cf. D. Geanakoplos, "The Nicene Revolution in 1258 and the Usurpation of Michael VIII Palaeologos," *Traditio*, 9 (1953), 420–29.

[20] See M. Angold, *A Byzantine Government in Exile: Government and Society under the Laskarids of Nicaea (1204–1261)* (Oxford, 1974), 149–50, 155–56; J. Darrouzès, *Georges et Dèmètrios Tornikès. Lettres et discours* (Paris, 1970), 33–43.

with the independent Greek aristocracy of the Balkans: his sister was married to Theodore Petraliphas, a local lord who joined John III Vatatzes' camp during a Nicaean campaign against Epiros in 1252–53.[21]

Another victim of Laskaris' policies was the general Constantine Strategopoulos – the son of the grand domestic Alexios Strategopoulos (the future caesar and conqueror of Constantinople in 1261) and, probably, the grandson of another high-standing military commander in Vatatzes' reign, Michael Strategopoulos. On Laskaris' orders, Constantine Strategopoulos was blinded and his father was thrown in prison.[22] The future emperor Michael Palaiologos – son of the grand domestic Andronikos Palaiologos and a man of imperial ancestry – also feared that he would fall victim to Laskaris' policies. In the period 1255–56 he took refuge at the Seljuk court in Konya and agreed to return to Nicaea only after the emperor took an oath guaranteeing his personal safety. Michael Palaiologos probably also saw his position endangered because of Laskaris' new policies of recruiting a native army, for at the time Palaiologos held the office of grand constable, that is, commander of the contingent of Latin mercenaries in Nicaean service. Laskaris must have carried out extensive confiscations of aristocratic landholdings. Akropolites expressly mentions that the aristocrats were tried for *lèse-majesté*, a crime for which the law prescribed confiscation of the properties of the condemned.[23]

Laskaris replaced the hereditary aristocrats with officials of lower stock whom he considered to be personally loyal to him. The main protégé of Theodore II Laskaris was George Mouzalon of Atramyttion. Mouzalon had been brought up as page at the imperial palace and was Theodore's childhood friend and playmate. In his personal letters Theodore II Laskaris called him "brother" or "son," and described how he had raised and educated him in the palace since he was a child.[24] In late 1255 Laskaris conferred on George Mouzalon simultaneously the exalted titles of *protovestiarios*,

[21] Akropolites I, 90.

[22] Akropolites I, 154–55. Constantine Strategopoulos was married to a cousin of Laskaris (a daughter of his uncle, Sebastokrator Isaac). See Pachymeres II.iii, 173. The information about Michael Strategopoulos, who was related to the family of the Malassianoi, may be apocryphal and is found only in the sixteenth-century additions to the chronicle of George Sphratzes. See George Sphrantzes, *Memorii 1401–1477*, ed. V. Grecu (Bucharest, 1966), 274. Cf. Angold, *A Byzantine Government in Exile*, 101, n. 38.

[23] Akropolites I, 154–155, mentions explicitly *lèse-majesté* as the charge proffered against Laskaris' enemies. Cf. Pachymeres I.i, 47.18–19. On the Byzantine laws for *lèse-majesté*, see K. Bourdara, *Καθοσίωσις καὶ τυραννὶς κατὰ τοὺς μέσους Βυζαντινοὺς χρόνους, Μακεδονικὴ δυναστεία (867–1056)* (Athens, 1981), 152, 162–64.

[24] Pachymeres I.i, 41.14–15; Gregoras I, 62. *Theodori Ducae Lascaris Epistulae*, no. 179, 229–30. Cf. ibid., no. 205, 256.43–45; no. 207, 259.42–44, where Laskaris calls Mouzalon his son. In another letter (no. 210, 262), he called him both a son and a brother.

protosebastos, grand domestic, and grand *stratopedarches*. The emperor also made George Mouzalon's younger brother, Andronikos, grand domestic, having dismissed Alexios Strategopoulos from that post; another brother was appointed the chief falconer (*protoierekarios*) at the Nicaean court. Not only do comments by contemporary and subsequent authors point to the humbler origins of Laskaris' political protégés such as the Mouzalon brothers.[25] Their little-known surnames suggest that they did not belong to the upper crust of the aristocracy. Laskaris' new appointees included the grand *archon* Constantine Margarites, the *protovestiarites* Karyanites, the *skouterios* Xyleas (commander of the army stationed at Prilep), the *tatas tes aules* Kalampakes (commander of the troops at Velesos), and Constantine Chabaron (governor of Albanon).[26]

It must be noted that Laskaris' favorites were not *homines novi* in the full sense of the word. Some of their surnames, such as Mouzalon and Karyanites, are well attested among imperial and patriarchal dignitaries during the middle Byzantine period. Another protégé of Laskaris, the *protostrator* John Angelos, seems to have belonged to a well-known family from the recent history of the empire.[27] Yet the officials promoted by Laskaris were clearly "new men" in the sense that they owed their position entirely to imperial favor. Furthermore, none of them appears to have been a direct descendant from the clan of the Komnenoi Doukai – the highest tier within the hereditary aristocracy which a thirteenth-century formulary calls the *archontes Komnenoi*.[28] The Palaiologoi were certainly among the families with noble Komnenian pedigree, and it is noteworthy that Laskaris was concerned with breaking up marriage networks centered on the Palaiologos family. Laskaris attempted to control the marital alliances within the aristocracy and gave some of his newly appointed officials brides of established families. Thus, by the emperor's orders, George Mouzalon

[25] Blemmydes, Pachymeres, and Gregoras all agree on the low pedigree of the Mouzalon family. See *Nicephori Blemmydae Autobiographia*, I, 44, ch. 88.6–7; Pachymeres I.i, 41.14; Gregoras I, 62.4–5. Akropolites I, 123–24, 156, 160, ridiculed the Mouzalon brothers and all officials appointed by Theodore II Laskaris; this criticism is in concert with his agenda of glorifying Michael VIII Palaiologos as the champion of the victims of Theodore II's regime.

[26] Akropolites I, 123–24, 139.

[27] On Mouzalon and Karyanites, see A. Kazhdan, *Sotsialnyi sostav gospodstvuiushchego klassa Vizantii XI–XII vv.* (Moscow, 1974), 37, 96–97, 178, and *passim*. The only protégé of Laskaris from among the high aristocracy was a certain George Nostongos (cousin of Michael VIII Palaiologos), whom Theodore II Laskaris planned to marry off to one of his daughters. See Pachymeres I.i, 95.1–12.

[28] G. Ferrari dalle Spade, "Formulari notarili inediti dell'età bizantina," *Bullettino dell'Istituto Storico Italiano*, 33 (1913), 59–60, no. 29. Nicaean aristocrats signed their names by using the luster-adding surnames of Komnenos and Doukas, but never Angelos. See D. Kyritses, "The Byzantine Aristocracy in the Thirteenth and the Early Fourteenth Centuries," Ph.D. dissertation Harvard University, 1997, 221.

married Michael Palaiologos' niece, Theodora Kantakouzene, the future learned *protovestiarissa*, patroness of letters, and ardent Arsenite (known also under her full name as Theodora Raoulaina Kantakouzene Palaiologina). Another niece of Michael VIII, also called Theodora, was betrothed to the lowborn Balanidiotes – another of Laskaris' pages, who evidently served as a recruiting base for his new officials.[29]

In his numerous writings Theodore II Laskaris touched on a number of subjects: theology,[30] philosophy,[31] rhetoric,[32] and politics. His political writings include self-contained treatises on kingship, philosophical treatises in which he touched on the theory of politics, and other works in which he commented on social issues. The main contribution Theodore II Laskaris made to political theory was his treatise on the relationship between the ruler and his subjects. The title of the treatise informs us that Laskaris addressed the work to his minion, George Mouzalon, who had inquired as to how should masters behave toward their servants and vice versa.[33] The title also explains that Theodore II Laskaris composed the work before his imperial accession as sole emperor. The treatise contains echoes of Blemmydes' *Imperial Statue*, written between 1248 and 1250, and must date to a time shortly before Vatatzes' death when Laskaris was grooming Mouzalon for an office.[34] Another important treatise on kingship is Theodore's epitaph on the Western emperor Frederick II Hohenstaufen (1194–1250), evidently composed when the news of his death, on 13 December 1250, reached

[29] Pachymeres I.i, 41, 55–57. Balanidiotes later tergiversated and became a supporter of Michael Palaiologos. See Pachymeres I.i, 155.

[30] Theodore II wrote a treatise on the divine names, a hymn and an oration to the Virgin, and anti-Latin tracts. See PG, vol. 140, cols. 764–80; H. Swete, *Theodorus Lascaris Junior. De processione Spiritus Sancti oratio apologetica* (London, 1875); Krikones, *Θεοδώρου Β' Λασκάρεως*, 85–155.

[31] On Theodore II's two philosophical treatises *Six Discourses on the Natural Communion* and *Explanation of the World*, see below nn. 36 and 40.

[32] In addition to his panegyrics of John III Vatatzes and of George Akropolites, Laskaris also composed an encomium of the city of Nicaea, several other minor orations and rhetorical exercises.

[33] L. Tartaglia, "L'opuscolo *De subiectorum in principem officiis* di Teodoro II Lascaris," *Diptycha*, 2 (1980–81), 188–222 (*Opuscula rhetorica*, 120–40). The manuscript title of the treatise runs as follows: "Of the same Theodore Doukas Laskaris, son of the most exalted emperor the lord John Doukas, to the lord George Mouzalon, who asked: 'How should lords behave toward their servants, and how should servants behave toward their lords?'"

[34] Laskaris called his treatise a "statue" and used the example of Alexander the Great and his friends, which he seems to have borrowed from Blemmydes' *Imperial Statue*. See *Opuscula rhetorica*, 120–121, 137.423–424; Blemmydes, *Imperial Statue*, 64–66, chs. 74–76. Before the treatise was published, Eurydice Lappa-Zizicas dated it to autumn 1254 and considered that letter 209 in Theodore II's correspondence was the letter of dedication of the treatise. See E. Lappa-Zizicas, "Un traité inédit de Théodore II Lascaris," *Actes du VI^e Congrès International d'Études Byzantines*, vol. 1 (Paris, 1950), 121–22; *Theodori Ducae Lascaris Epistulae*, no. 209, 260–61. In fact the letter in question does not mention a political treatise, but alludes to the subject of the second book of Laskaris' *Explanation of the World* entitled "On Heaven." See N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 1–20.

Nicaea.[35] The audience, if any, of this curious rhetorical piece is difficult to identify. Theodore's stepmother, Anna-Constance of Hohenstaufen, was at the Nicaean court at the time, and the epitaph suggests awareness of the fact that the German emperor faced mounting political problems and a civil war in Italy at the end of his reign. Yet the work does not present any specific information about Frederick, nor does it contain any element of lament. Rather it is a treatise on kingship, its difficulties, and the lot of kings. Therefore it appears that Laskaris used the occasion of the German emperor's death to reflect on a subject that was of great interest to him.

Theodore II Laskaris theorized about imperial rulership not only in his political treatises, but also in philosophical works. One of these works, dating to the period before his imperial accession, is entitled *Six Discourses on the Natural Communion*.[36] Here Theodore II Laskaris combined his knowledge of philosophy, mathematics, and medicine to demonstrate the existence of a single principle uniting the widely diverse physical and social reality of the world. He posited that the chief principle of unity was that of nature. His inspiration appears to have been Aristotle's *Physics*, on which Laskaris commented with scholia.[37] However, as Gerhard Richter has concluded, Theodore II Laskaris presented philosophical interpretations that were his own.[38] Laskaris certainly benefited from his philosophical studies with Blemmydes, although it is noteworthy that he composed the treatise *Six Discourses on the Natural Communion* before Blemmydes published his own textbook on physics between 1258 and 1263.[39] The fifth book of the treatise is especially relevant to our study, because here the author discussed the role of nature in human society.

Another philosophical treatise in which Laskaris discussed politics was his *Explanation of the World*, a work consisting of four books, written over the course of several years before and after his imperial accession in

[35] *Opuscula rhetorica*, 86–94. [36] Τῆς Φυσικῆς Κοινωνίας Λόγοι Ἕξ, PG, vol. 140, cols. 1267–396.

[37] G. Prato, "Un autografo di Teodoro II Lascaris imperatore di Nicea?," JÖB, 30 (1981), 249–58, mentions the marginal glosses by Theodore II in Ambros gr. 512 (M 46 sup.). Another note in a Milan manuscript containing Aristotle's *Physics* and *On Generation and Corruption* – Ambros gr. 396 (G 51 sup.) – mentions a certain *archon* Laskaris at the end of the manuscript, although it is uncertain whether this is the emperor. Cf. A. Martini and D. Bassi, *Catalogus codicum Graecorum Bibliothecae Ambrosianae* (Milan, 1906), 472–73, 617–18.

[38] G. Richter, *Theodoros Dukas Laskaris: Der natürliche Zusammenhang. Ein Zeugnis vom Stand der byzantinischen Philosophie in der Mitte des 13. Jahrhunderts* (Amsterdam, 1989), 32. Cf. also J. Dräseke, "Theodoros Laskaris," BZ, 3 (1894), 499–504.

[39] On the date of publication of Blemmydes' textbook on physics (PG, vol. 142, cols. 1034–320), see W. Lackner, "Die erste Auflage des Physiklehrbuches des Nikephoros Blemmydes," *Überlieferungsgeschichtliche Untersuchungen*, ed. F. Paschke (Berlin, 1981), 352–64.

1254.[40] The four books are in fact separate treatises, each dealing with a different subject. All the books of *Explanation of the World* address George Mouzalon, again in response to a query allegedly posed by the latter, and bear witness to Laskaris' efforts to educate his friend and political protégé in philosophical and practical matters. Laskaris composed the first book, "On the Elements," before his elevation to the throne as a sole ruler in 1254.[41] The third and the fourth books were written after 1254 and are an important source on Laskaris' political ideas. The letter of dedication to Mouzalon of the third book, entitled "Pillar of the World or Life," refers to the addressee as *protosebastos*, *protovestiarios*, and grand *stratopedarches*. Therefore Laskaris must have composed this treatise after having granted these titles to his minister at Christmas 1255, that is, during the years 1256–58.[42] Laskaris intended the "Pillar of the World or Life," in part at least, as an apology for his policies and as a work of polemic against Blemmydes, his political opponent at the time.[43] Most explicit was Laskaris' polemic with his ex-tutor Blemmydes in the fourth book of *Explanation of the World*, "On Obscurity and a Testimony that the Author is Ignorant of Philosophy." This book dates to the very end of Laskaris' reign, when his conflict with Blemmydes was at its highest point. Here the emperor intentionally portrayed himself as another Socrates and confessed to total ignorance of different branches of secular knowledge.[44]

Two works of Theodore II Laskaris, to which we shall refer in the course of our discussion, are his rhetorical exercises *Encomium of Wisdom* and *Oration on Fasting*. As their titles indicate, both exercises date to the period before his imperial accession.[45] The death of Laskaris' wife Helena Asanina

[40] The *Explanation of the World* (Κοσμικὴ δήλωσις) has been published by N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 11 (1897–98), 97–113 (first book); "Κοσμικὴ Δήλωσις," GdSAI 12 (1899), 1–52 (the second, third, and fourth books). Hunger was unaware of Festa's edition and published excerpts of the Κοσμικὴ Δήλωσις. See H. Hunger, "Von Wissenschaft und Kunst der frühen Palaiologenzeit. Mit einem Exkursus über die *Kosmike Delosis* Theodoros' II. Dukas Laskaris," JÖB, 8 (1959), 123–55, repr. in H. Hunger, *Byzantinische Grundlageforschung* (London, 1973), Study XX.

[41] The title of the treatise mentions explicitly that Laskaris wrote the work before his accession. See GdSAI, 11 (1897–98), 97.4.

[42] See *Theodori Ducae Lascaris Epistulae*, no. 187, 236. In the fourth book of the treatise Laskaris refers to himself as "crowned by the hand of God." See "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 52.6. Andreeva, "Polemika," 8, argued that the third and fourth books of the *Explanation of the World* should be dated to the years 1256–58. By contrast, Hunger, "Von Wissenschaft und Kunst," 133–34, considered all four books of the treatise to have been composed before the imperial accession of Laskaris.

[43] Andreeva, "Polemika," 8. Cf. chapter 8, pp. 293 ff.

[44] This fourth book of the *Explanation of the World* has been discussed by Andreeva in "Názory Theodora II. Laskarise," 71–76.

[45] The *Encomium on Wisdom* is found in Ambros. gr. 917 (C 308 inf.), ff. 58 r.–66 r., and Paris, Bibl. Nat., Cod. gr. 1193, ff. 85 r.–96 r.; the *Oration on Fasting* – in Ambros. gr. 917 (C. 308 inf.), ff. 66 r.–77 v. and Paris, Bibl. Nat., Cod. gr. 1193, ff. 96 r.–111 r. I was able to examine the texts in both manuscripts.

between 1250 and 1254 occasioned the composition of two other works of some significance: an apology addressed to people who urged him to remarry and *Ethical Epitomes on the Instability of Life*.[46] Both works reveal how deeply the passing of his beloved wife affected Laskaris. We shall also refer to a religious work of Laskaris, his encomium on Saint Tryphon – the patron of the city of Nicaea and a saint especially venerated in the Nicaean empire.[47] Laskaris felt particular devotion to this saint – he put his image on his coins, attributed his victories against the Bulgarians to the saint's miraculous help, and renovated the church in Nicaea dedicated to Saint Tryphon, to which he also attached public schools of grammar and rhetoric.[48]

THE ANTI-ARISTOCRATIC IDEOLOGUE

Friendship and kinship

In his political, philosophical, rhetorical, and epistolary works Theodore II Laskaris consistently attacked the role of kinship and lineage as a social force, going beyond simple criticism of the principle of familial loyalty. In his treatise on friendship he laid out an alternative scheme of social relations which stood in contrast to an empire run by a hereditary aristocracy. This treatise is a natural starting point for discussing Laskaris' views of the blood aristocracy and the role of kinship in politics in general. Then we shall turn our attention to other works by Theodore II Laskaris, in which the Nicaean ruler struggled to find ideological alternatives and barriers to the power and ambitions of the Byzantine aristocracy.

The main argument Laskaris made in his political treatise on friendship was a simple one: friendship should be the chief tie between the emperor and his subjects. Laskaris' understanding of friendship rested heavily on Aristotle's *Nicomachean Ethics* and, to a lesser extent, on the tradition of the Byzantine mirrors of princes, yet it was highly idiosyncratic and politically charged. Before placing Laskaris' ideas within an intellectual and political context, one must at first consider what kind of political organization the

[46] L. Tartaglia, "Una apologia inedita di Teodoro II Duca Lascari," *Bollettino dei classici*, 12 (1991), 69–82 (*Opuscula rhetorica*, Tartaglia, 110–18). The yet unpublished *Ethical Epitomes on the Instability of Life* is found in Ambros. gr. 917 (308 inf.), ff. 78 r.–94 r. and Paris, Bibl. Nat., Cod. gr. 1193, ff. 111 v.–130 r.: Ἐπιτομαὶ ἠθικαὶ τὸ τοῦ βίου ἄστατον διαγράφουσαι, ἐκτεθεῖσαι ἐν τῷ πενθίμῳ καιρῷ τῆς ἀποβιώσεως τῆς ἀοιδίμου καὶ μακαρίας δεσποίνης κυρᾶς Ἑλένης συμβίου αὐτοῦ.

[47] *Acta Sanctorum, Novembris*, vol. 4, ed. H. Delehay (Brussels, 1925) cols. 336A–357B.

[48] *Synopsis Chronike*, MB, vol. 7, 512, 514. *Theodori Ducae Lascaris Epistulae*, no. 217, 276. Cf. M. Hendy, DOC, vol. 4, part 2 (Washington, 1999), 520–22, 524–25. On the archeological remains of the church of St. Tryphon in Nicaea, see I. Papadopoulos, "Ὁ ἐν Νικαίᾳ τῆς Βιθυνίας ναὸς τοῦ ἁγίου Τρύφωνος," EEBS, 22 (1952), 110–14.

author was proposing to his future prime minister, George Mouzalon. The immediate reason why Theodore II Laskaris wrote this work was the query posed by Mouzalon as to how masters should conduct themselves with regard to their servants, and vice versa. It is significant that Mouzalon's question did not refer specifically to the emperor, but to "masters" (*kyrioi*) in general. After all, Mouzalon himself was to become one such master after acquiring his high court titles, and the treatise leaves the impression that Laskaris was grooming Mouzalon for his future position of power. Laskaris embraced the fact fundamental to Mouzalon's question, namely that there were many lords and servants in the empire, and proposed a theory on the relationship between the sovereign and his subjects as well as between any master (*kyrios, hegemon, despotes*) and his servants.[49] The author was explicit about the existence of multiple vertical links of dependence permeating the empire. He called upon all "servants" to follow his precepts, to learn to practice the "loyalty of the servant and the benevolence of the master," and to view as friends both their master and the servants of their master.[50] Every individual was in the dual position of being the master of someone and the servant of another. The multiple vertical ties of friendship, or rather dependence, formed a kind of social pyramid topped by the emperor. About halfway through the treatise Laskaris urged "all people" to choose friendship with their masters instead of other friendships and instead of ties of kinship with parents and relatives. Laskaris' argument as to the preferability of friendship with one's masters rested on a curious interpretation of the theory of kingship by divine right. The dependent friend of a "master," he noted, automatically befriends also the "first master," that is, the emperor, and thus approaches God and benefits from divine generosity.[51] The emperor was further described as the very image of God and the natural focal point of convergence of the three Aristotelian kinds of friendship: friendship for the sake of natural goodness, for the sake of utility, and for the sake of pleasure.[52] The emperor moreover possessed all necessary virtues, including

49 See, for example, *Opuscula rhetorica*, 126.156 (ἡγεμών), 126.161–162 (τί δὲ βασιλικῆς καὶ ἀρχικῆς καὶ ἡγεμονικῆς ἀξίας ὄντως θειότερον;), 127.186 (δεσπότης).

50 Ibid., 137.423–28.

51 Ibid., 134.352–357: "Indeed it is necessary [for them] to treat as friends their lords more than anyone else in order to gain all these things [i.e., the good by nature, usefulness, and pleasure] and because the one who treats as friend his master has befriended the first master [i.e., the emperor] as well. But the one who treats as friend the first master and reveres and honors him to his heart's satisfaction will indeed acquire all the beneficence of God himself" (δεῖ γοῦν ὑπὲρ ἄλλους πάντας τοὺς ἡγεμόνας φιλεῖν ἵνα τε ταῦτα πάντα κερδάνωσι καὶ ὅτι ὁ τὸν ἡγεμόνα φιλῶν τὸν πρῶτον ἡγεμόνα πεφίληκεν· ὁ δὲ τὸν πρῶτον φιλῶν καὶ τὸν κατὰ χάριν τιμῶν καὶ σεβόμενος ἕξει πᾶσαν ὄντως ἀγαθοεργίαν καλῶν παρ' αὐτοῦ τοῦ θεοῦ). For a similar idea of a hierarchy of friendships leading to God, see Laskaris' letter to Blemmydes, *Theodori Ducae Lascaris Epistulae*, no. 48, 64.

52 *Opuscula rhetorica*, 125.124–25, 134.346–49.

the four cardinal ones, a circumstance which ensured the well-being of the state.[53] Thus, divine-right theory (an official and unquestionable tenet of the monarchy) served to support the supreme position of the emperor within a hierarchical network of personal relationships. Laskaris was not content solely with this ideological argument, but added practical considerations supporting the position of the emperor at the pinnacle of a pyramid of social ties. He observed that the emperor had at his disposal the material resources necessary for maintaining inferior kinds of friendship, especially that for the sake of pleasure, which he equated with a lifestyle of court entertainment and hunting.[54]

How did a polity bound together by vertical links of friendship operate? Part of the answer given by Laskaris was negative and rested on antithesis. The author never mentioned any imperial institutions. He referred to the existence of only one social relationship alongside friendship, that of kinship, yet he took pains to downplay the importance of kinship and to emphasize that a social tie of friendship should always take precedence over one based on kinship. When presenting the emperor as the focal point of convergence of the three types of friendship, he wrote that subjects should be more loyal to him than to their relatives and other friends.[55] Further on, Laskaris urged that friendship between a master and a servant should override social ties with other individuals, including ties of kinship: "It is by all means necessary that everyone is a friend of his master rather than of [other] friends, parents, and siblings."[56] The normative language suggests that Laskaris was responding to actual circumstances, namely the existence of strong ties of family loyalty among his subjects, or at least within the political elite of Nicaea. Only on one exceptional occasion in the treatise did Laskaris present an argument on the friendship–kinship dichotomy which looks like a statement of fact. He claimed that a servant commended by his master tended to gain the respect of his other friends, relatives, and even former enemies; conversely, when criticized he incurred their contempt.[57] Laskaris made sure of driving home forcefully the point of the superiority of friendship over kinship, and explicitly underscored the novelty of his own vision of social relations. In a section of the treatise describing how a true friend would readily die for his master, Laskaris digressed: "But I will say also something rather novel. The love of true servants surpasses that

53 Ibid., 125.128–126.156. 54 Ibid., 130.252–132.296.

55 Ibid., 125.121–22: "Therefore it is by all means better to honor and treat as friend the emperor than all [other] friends, brothers, and relatives" (Διὰ ταῦτα πάντα κρεῖττον βασιλέας τιμᾶν καὶ φιλεῖν, ἢ φίλους ὅλους ἀδελφούς τε καὶ συγγενεῖς).

56 Ibid., 134.349–51: ἀνάγκη πᾶσα φίλους εἶναι πάντας τοῦ κυρίου αὐτῶν ἢ φίλων καὶ γονέων καὶ ἀδελφῶν.

57 Ibid., 132.297–307.

of many and prominent blood relatives."[58] In a letter to George Mouzalon written before his accession Laskaris also referred to the main argument of the treatise, namely the primacy of friendship over kinship.[59]

In practical terms, political friendship meant that the emperor governed the empire – and the master exerted authority over his servants – by engaging in reciprocal and bilateral relations based on mutual interest. According to Laskaris, each of the three Aristotelian categories of friendship involved a different kind of tie between the emperor and all his subjects, between the emperor and a particular social group, and between the emperor and an individual. All subjects were the emperor's friends for the sake of "natural goodness," the first category of friendship. The Nicaean crown prince defined natural goodness as the general welfare of the polity, of which the emperor was the supreme guarantor.[60] The emperor, Laskaris reasoned, defended the state against external enemies and for this purpose employed foreign mercenaries (a policy which the author would reevaluate after his imperial accession).[61] The ruler also accommodated newcomers and refugees, and took care of captive brethren in enemy territories. Here Laskaris evidently referred to contemporary reality; numerous refugees settled after 1204 in Nicaea, which was a veritable transplantation of the Byzantine empire. The third type of friendship, based on pleasure, concerned the emperor's relationship with a narrow circle of courtiers. Theodore II Laskaris urged people with refined taste to frequent the imperial palace, where delights galore were to be discovered: exquisite food, beautiful clothes, musical performances, and hunting expeditions in pursuit of deer, bears, wild cats, and boars.[62] In a word, loyalty to the emperor could pay off well, with the acquisition of the trappings of regal lifestyle.

Of the three types of friendship, Laskaris discussed in greatest detail the second, based on utility. This is noteworthy, for utilitarian friendship – to a greater degree than either of the other two types of friendship – enabled the system envisioned by Laskaris to function in practice. The crown prince understood utilitarian friendship as a reciprocal and mutually beneficial relationship between the emperor, or simply any master, and an individual.

[58] Ibid., 137.435–37: ἀλλ᾽ ἐρῶ τι καὶ καινοπρεπέστερον· πολλῶν καὶ μεγάλων σαρκικῶν συγγενῶν ἡ τῶν ἀληθινῶν δούλων ἀγάπη ὑπερνικᾷ.

[59] *Theodori Ducae Lascaris Epistulae*, no. 179, 229.1–2. [60] *Opuscula rhetorica*, 125.128–126.142.

[61] See chapter 9, pp. 289–90, 295.

[62] Ibid., 130.256–59: "For an entire abundance of pleasure is available at the imperial court. Let, thus, the lover of pleasure submit calmly to the emperor and hence he will draw every stream of pleasure to himself" (πᾶσα γὰρ εὐφορία πρὸς ἡδονὴν βασιλικαῖς αὐλαῖς περιστρέφεται. ὁ γοῦν ἐρῶν ἡδονῆς γαληνιαίως πειθαρχείτω τῷ βασιλεῖ καὶ ἔνθεν ἑλκύσει πᾶν ῥεῖθρον ἡδονῆς πρὸς αὐτόν).

He listed a number of possible exchanges from which the emperor, or any master, and his friend would derive mutual profit – all of them introduced by the same expressions, "let the one give" and "let the other one take."[63] Unfortunately, Laskaris' language here is highly rhetorical and prevents one from forming a full idea of the obligation of the two parties. For instance, he urged the dependent friend to perform services to his master without specifying their nature, and wrote that the former would gain an equality of honor in return.[64] Further on in the treatise, Laskaris called on the dependent friend to give both "body and soul" to his master, an enigmatic statement that appears to designate obedience.[65] Still, Laskaris mentioned or alluded to several concrete duties and benefits which the pair would derive from the relationship. The dependent friend was bound not to reveal secret information about his master and not to pry too much into his personal affairs. In addition, he was to supply his master with information and to report on rumors.[66] It is evident that Laskaris was thinking of the dangerous world of court politics and saw his dependent friends as useful informers and discreet confidants.

Laskaris was more specific in describing the benefits to be derived by the emperor's dependent friend. Some of them were purely symbolic. Laskaris pointed out that the loyal friend would receive compliments from the emperor and would be granted an enviable equality of honor with him, which would make all his peers, relatives, and even enemies hold him in esteem.[67] Other gains were tangible. For one thing, the emperor's friend would come to enjoy a preferential judicial treatment at the imperial tribunal of all his misdeeds.[68] Furthermore, the emperor would grant money

[63] Ibid., 127.175–130.248. [64] Ibid., 128.197–200.

[65] Ibid., 137.430–32: "What will persuade a servant to give his body with his soul at the will of his master if not only the sincerity of the loving affection of the master?" (τί δὲ δοῦλον πείθει σῶμα δοῦναι σὺν τῇ ψυχῇ ἐν βουλῇ τῇ δεσποτικῇ, ἢ μόνον τὸ τῆς ἀγάπης τῆς τοῦ κυρίου εἰλικρινές;).

[66] Ibid., 128.204–07, 129.220–23. [67] Ibid., 127.185–87, 128.197–200, 132.297–303.

[68] Ibid., 128.209–129.214: "Let him give every knowledge of his eyes to the ears of his master and his master 'will protect him as the pupil of his eye' [Psalm 16:8]. Let him give all the different kinds of changeful winds entering through his spiral opening [i.e., his ears] and let him receive the right ear of his master in the judgment of his inappropriate deeds" (δότω ὀφθαλμῶν πᾶσαν γνῶσιν εἰς ὦτα τοῦ δεσπότου αὐτοῦ καὶ φυλάξει αὐτὸν ὁ δεσπότης αὐτοῦ ὡς κόρην ὀφθαλμοῦ. δότω τὰς διὰ τῆς ἑλικοειδοῦς ὀπῆς εἰσερχομένας αὔρας παντοδαπὰς καὶ λαβέτω ἐν κρίσει ἔργων ἀτόπων αὐτοῦ τὸ δεξιὸν οὖς τοῦ κυρίου αὐτοῦ). The metaphor of the emperor giving his friend his right ear means preferential treatment in a judicial trial, as explained in an anecdote about Alexander the Great in the mirror of Theognostos. See *Theognosti Thesaurus*, ed. J. Munitiz (Turnhout and Leuven, 1979), 199.76–78. When an accuser appeared before Alexander, the king pointed to one of his ears and said that it was reserved for hearing the accused. The moral of the story was that the just emperor should use both his ears when listening to conflicting testimonies in judicial trials. The right ear was considered the better one, as it was anointed by God in the ceremony of the anointment of the priests described in Exodus 29:19 and Leviticus 8:24.

and properties to his faithful friends.[69] Thus, in a utilitarian type of friendship the ruler distributed economic resources in exchange for loyalty and service.

The political model proposed by Laskaris was influenced in varying degrees by the moral philosophy of Aristotle and the Byzantine mirrors of princes, as well as the realities of Nicaean imperial governance. The most obvious, and undoubtedly most important, source for Laskaris' ideas was Aristotle's *Nicomachean Ethics*, especially books eight and nine, in which the ancient philosopher discussed friendship and its categorization. One should hardly be surprised that Theodore II Laskaris had read and appreciated Aristotle's *Nicomachean Ethics*. In Byzantium this treatise enjoyed significant popularity, especially since the twelfth century, when Eustratios of Nicaea and Michael of Ephesos produced extensive commentaries on the work, which became known, too, in the medieval West.[70] No lesser Byzantine emperor than John VI Kantakouzenos (1341–54) commissioned a manuscript containing a paraphrase of the *Nicomachean Ethics* to be prepared for his private library.[71] The Nicaean crown prince appears to have read Aristotle's treatise on ethics in the course of his higher education. The deep impact of Aristotle's ideas is not difficult to discern. The Nicaean author adopted the Aristotelian triple categorization of friendship predicated on its motive and end: the good, pleasure, and utility. Aristotle also distinguished between two types of friendship in terms of the social station of the friends: friendship between equals and friendship between unequals. It is the second type of friendship – friendship between unequals – that marked for Aristotle the relationship between a king and a subject as well as between a father and his son, a husband and his wife. According to the ancient philosopher, friendship permeated political relations – friendship was said to be present in every form of government, just like justice.[72] Rulers and the rich

[69] *Opuscula rhetorica*, 128.192–93; 130.241–48. Cf. ibid., 122.51–56.

[70] *Commentaria in Aristotelem Graeca*, vol. 20, ed. G. Heylbut (Berlin, 1892). In the thirteenth century the commentaries by Eustratios of Nicaea were translated into Latin by Robert Grosseteste. See *The Greek Commentaries of the Nicomachean Ethics of Aristotle. In the Latin Translation of Robert Grosseteste, Bishop of Lincoln (1253)*, ed. P. Mercken (Leiden, 1973). On Aristotle's philosophy of friendship in the *Nicomachean Ethics*, see W. F. R. Hardie, *Aristotle's Ethical Theory* (Oxford, 1968), 318–35; J.-C. Fraisse, *Philia: La notion d'amitié dans la philosophie antique* (Paris, 1974), 193–286.

[71] See D. Nicol, "A Paraphrase of the Nicomachaean Ethics Attributed to the Emperor John VI Cantacuzene," BSl, 29 (1968), 1–16; Nicol, *The Byzantine Family of Kantakouzenos (Cantacuzenus) ca. 1100–1460* (Washington, 1968), 101, n.173. Nicol disputed the attribution of the paraphrase to Heliodoros of Prusa by G. Heylbut, in his edition of *Commentaria in Aristotelem Graeca*, vol. 19, 2 (Berlin, 1889), and considered the author as anonymous.

[72] Aristotle, *Nicomachean Ethics*, VIII 9, 1159b ff.

members of society needed to make friends in order to confer on them benefactions.[73]

Theodore II Laskaris started out from the Aristotelian premise of the existence of political friendship between unequals, although he soon distanced himself from the reasoning of the classical philosopher. For Aristotle the principal characteristic of friendship was equality (*isotes*).[74] In the case of friendship between unequals, to which friendship with the king belongs, equalization was to be achieved through proportional distributions: proportionality in the end of friendship (that is, the virtue or the usefulness of the superior friend should exceed that of the inferior one proportionately to the status difference) and a corresponding proportionality of love (that is, the superior should be loved more than render love).[75] For Aristotle, however, it was exceedingly rare for someone to befriend people of authority in the highest form of friendship, for "people who surpass him in both respects [authority and virtue] are difficult to find." Rather, according to Aristotle, people of authority tend to have friends who are useful to them or who are pleasant.[76]

Theodore II Laskaris did not share the pessimism of Aristotle about friendship with the king and failed to mention equality as characteristic of friendship. In describing the highest Aristotelian form of friendship, Laskaris started out from an ideological postulate: the monarchy and the emperor was the supreme good by nature. Therefore *all* imperial subjects were by nature friends of the ruler in the highest form of friendship, a thesis which runs contrary to Aristotle's moral philosophy. Interestingly, Laskaris altered the term used by Aristotle for the highest form of friendship. What Aristotle had called friendship for the sake of "the good" Laskaris named friendship based on "natural goodness." This modification is doubtless related to Laskaris' interest in natural philosophy, which is evident in the treatise *Six Discourses on the Natural Communion*. Besides, Laskaris described the inferior kinds of friendship in very different terms from the *Nicomachean Ethics*. Aristotle had given as instances of friendship for pleasure's sake the associations among young people, carnal love, and the predilection of kings for the company of witty

[73] Ibid., VIII 1, 1155a6–a10; VIII 11, 1161a10–a14. cf. IX 7, 1167b17–1168a27.

[74] Ibid., VIII 5, 1157b36–1158a1; VIII 7, 1158b27–28.

[75] Ibid., VIII 6, 1158a34–a36; VIII 7, 1158b23–b28; VIII 13, 1162b3. Cf. J.-C. Fraisse, *Philia*, 205 ff.

[76] Aristotle, *Nicomachean Ethics*, VIII 6, 1158a36. Aristotle also noted that friendship for the sake of the good was an uncommon occurrence in general, because virtuous individuals were rarely found in the world. Ibid., VIII 3, 1156b24–25. Furthermore, Aristotle argued that one cannot have the highest kind of friendship with too many people, because love is naturally directed toward a single individual. Ibid., VIII 6, 1158a10–a13, Cf. IX 10.

men.[77] By contrast, Laskaris drew his examples of pleasure, such as hunting and musical performances, from Nicaean court life, and he did so also in his descriptions of utilitarian friendship, which included the duty of one not to pry into the ruler's affairs. However the historically most significant difference between Laskaris' and Aristotle's views, which points clearly to the political agenda of the Nicaean ruler, lies in their divergent interpretations of the relationship between friendship and kinship. For Aristotle and other ancient philosophers, every form of kinship, whether by blood or by marriage, involved by nature (*physei*) friendship.[78] By contrast, Theodore II Laskaris stressed the opposition between friendship and kinship, and described friendship as a social force of higher intrinsic worth. Motivated by his anti-aristocratic agenda, Theodore II Laskaris turned his back on Aristotle.

In addition to Aristotle, another inspiration for the Nicaean author was the courtly literature of the mirrors of princes, which regularly acknowledged the important position that the emperor's friends occupied in his entourage. Laskaris opened the treatise by pointing to Alexander the Great and his generals as paragons of true friendship – he stated that Alexander had been more renowned for "honoring his friends" than for his deeds and deification.[79] The same classical example figures in Blemmydes' *Imperial Statue*, from where Laskaris appears to have borrowed it, in Thomas Magistros' *On Kingship*, and is traceable to late antique rhetorical works.[80] Nonetheless, Theodore understood friendship differently from the mirrors. The mirrors traditionally described friendship as a moral virtue and instructed the ruler how to distinguish true friendship from flattery, explaining that friends dared to offer criticism whenever necessary, while flatterers tended only to laud.[81] None of this edifying spirit found a place in Laskaris' treatise. The mirrors spoke of a limited number of friends who formed a close circle around the emperor. For example, in the late eleventh century

77 Ibid., VIII 3, 1156a31–b6; VIII 6, 1158a31.

78 Ibid., VIII.1, 1155a.16–a.21; VIII.12, 1162a.16–a.19. Cf. Xenophon, *Hiero*, 3.

79 *Opuscula rhetorica*, 120–21.

80 Blemmydes, *Imperial Statue*, 66, ch. 75; Magistros, *On Kingship*, ch. 16, 59.739–745. The origin of this *exemplum* is an anecdote, according to which Alexander the Great had pointed to his friends when asked to display his treasures. This anecdote was used in late antique court rhetoric, although it is not attested in late Byzantine imperial panegyric. See Theon (first–second century A.D.), *Progymnasmata*, in *Rhetores Graeci*, ed. L. Spengel, vol. 2 (Leipzig, 1854), 100; Themistius, Or. 16, 203bc. Curiously, Xenophon placed the same anecdote in the mouth of Cyrus the Elder. Cf. *Cyropaedia* 8.2.19. Cf. also *Ecclesiasticus* 6:14, which says that "whoever finds a friend finds a treasure."

81 Agapetos the Deacon, 46, chs. 31–32; Pseudo-Basil, 57–58, ch. 23; Kekaumenos, 290; Theophylaktos of Ohrid, in Gautier, *Théophylacte d'Achrida*, vol. 1, 203; Magistros, *On Kingship*, ch. 16, 58.713–26.

Theophylaktos of Ohrid saw in them the best administrators and the best educators of the prince. Laskaris was aware of this idea of the mirrors, namely, that the ruler should have a few trustworthy friends. When pointing to the example of Alexander the Great, he noted that the ancient king had only five friends, who were like his five senses.[82] In the rest of the treatise, however, Laskaris veered away from this idea and discussed friendship as a universal social relationship pervading the polity. Other differences from the mirrors of princes also stand out. In the *Imperial Statue* Blemmydes cautioned Laskaris that true friends could not be bought with money.[83] By contrast, Laskaris described utilitarian friendship as a relationship involving economic exchange. The mirrors often warned the emperor that friendship should never interfere with the just enforcement of the law.[84] By contrast, Laskaris admitted openly that the emperor's friends would receive preferential judicial treatment.

It is important to observe that the mirrors occasionally criticized the undue power wielded by the emperor's relatives. The author of Pseudo-Basil's mirror, most probably Patriarch Photios, wrote that relatives were unworthy of trust, since they tended to plot against each other; only "true friends" were faithful and reliable.[85] This remark is significant, because it encapsulates the essence of Laskaris' argument. Two other authors of mirrors of princes, Kekaumenos and Thomas Magistros, regarded the empowerment of the emperor's relatives as a cause of maladministration, although without in either case proceeding to formulate a friendship–kinship dichotomy. Kekaumenos accused the ruler's relatives of excessive greed;

82 *Opuscula rhetorica*, 120.20–121.27. The same image of the emperor's friends performing the role of organs of comprehension, through which the ruler can see and hear everything, both close and far away, is present in Thomas Magistros' *On Kingship*. See Magistros, *On Kingship*, ch. 16, 58.732–59.735.

83 Blemmydes, *Imperial Statue*, 68, ch. 83.

84 Agapetos the Deacon in the sixth century and Thomas Magistros in the fourteenth urged the emperor to apply the law impartially, regardless of whether the plaintiff was the emperor's friend or enemy. See Agapetos the Deacon, 52, ch. 41; Magistros, *On Kingship*, ch. 17, 59–61.

85 Pseudo-Basil, 53, ch. 12: "For relatives have often plotted against each other because of small amounts of money, but true friends, disregarding the entire universe, did not deem their very lives preferable to the love of their friends" (συγγενεῖς μὲν γὰρ συγγενέσι πολλάκις μικρῶν ἕνεκα χρημάτων ἐπεβούλευσαν, φίλοι δὲ ἀληθεῖς τὸν κόσμον ἅπαντα παριδόντες οὐδὲ τὴν ζωὴν αὐτὴν τῆς τῶν φίλων ἀγάπης προέκριναν). A similar idea is found in Dio Chrysostom's third treatise on kingship dating to the second century A.D. See *Dionis Prusaensis quem vocant Chrysostomum quae exstant omnia*, vol. 1, ed. J. de Arnim (Berlin, 1893; repr. Berlin, 1962), 53.15–18: "Although he is disposed to be most friendly to relatives and to his household, sometimes he has considered friendship a greater value than kinship. For friends are useful without any kinship, but without friendship even the very close kin are not beneficial" (φιλοσυγγενέστατος δὲ ὢν καὶ φιλοικειότατος ἔσθ' ὅπῃ μεῖζον ἀγαθὸν νενόμικε τὴν φιλίαν τῆς συγγενείας. ἄνευ μὲν γὰρ συγγενείας οἱ φίλοι χρήσιμοι, ἄνευ δὲ φιλίας οὐδὲ οἱ σφόδρα ἐγγὺς ὠφέλεμοι). Cf. A. Markopoulos, "Autour des *Chapitres parénétiques* de Basile Ier," in A. Laiou (ed.), *ΕΥΨΥΧΙΑ. Mélanges offerts à Hélène Ahrweiler*, vol. 2 (Paris, 1998), 477.

Magistros considered them to be incompetent as city governors and urged Andronikos II not to allow them to enjoy preferential judicial treatment in courts of law.[86] Of the authors of mirrors, only Theodore Palaiologos of Montferrat raised a lonely voice favoring the employment of blue-blooded aristocrats in imperial service. His was the perspective of a Palaiologos dissatisfied with the rise of people of relatively modest pedigree in the civil bureaucracy of Andronikos II, such as his archenemy Metochites.[87] Thus the political views of Theodore II Laskaris build on the hostility toward the emperor's kin manifest in some mirrors of princes, yet they go well beyond criticism and present a well-constructed ideological alternative to an imperial aristocracy of blood. In this, Laskaris was a true intellectual innovator.

How do the ideas espoused by Laskaris in his treatise on political friendship fit into existing practices of governance in Nicaea? It is noteworthy that Laskaris referred to the relationship between masters and servants as, besides friendship, also "loyalty," "loving affection," "respect," and "familiarity."[88] The word for familiarity, *oikeiotes*, is related to late Byzantine administrative reality and is especially important. The *oikeioi* formed an inner circle of trusted men personally loyal to the emperor, from whom imperial officials were selected. The term appears in the sources in the tenth century and increasingly entered official usage in the subsequent period. In the thirteenth century there were special registers with the names of imperial *oikeioi*, attested during the reign of Michael VIII.[89] Thus Laskaris would have observed the existence of a semi-official patronage system centered on the emperor, side by side with the hierarchy of imperial dignities and titles. The concept of friendship was itself part of Byzantine political vocabulary. In his historical memoirs John VI Kantakouzenos called his political supporters and partisans during the civil war his "friends."[90] Furthermore, special subjects of the Byzantine emperor (*hypocheirioi*) took a personal oath of fealty which obligated them to be "friends of the emperor's friends

[86] Kekaumenos, 286–88, gave the example of the greedy brother of the emperor Michael IV (1034–41), John Orphanotrophos. Magistros, *On Kingship*, ch. 12, 48–50, with a possible allusion to Eirene-Yolanda of Montferrat.

[87] Theodore of Montferrat, in C. Knowles, *Les enseignements de Théodore Paléologue* (London, 1983), 87.

[88] Loyalty (εὔνοια): *Opuscula rhetorica*, 137.425, 138.455–456; loving affection (ἀγάπη): ibid., 137.432, 137.437, 138.458; respect (ὑπόληψις): ibid., 130.245, 137.430, 138.456; familiarity (οἰκειότης): ibid., 127.183, 133.326–27.

[89] J. Verpeaux, "Les οἰκεῖοι. Notes d'histoire institutionnelle et sociale," REB, 23 (1965), 89–99. Cf. Kyritses, "Byzantine Aristocracy," 15–20. On the register of imperial *oikeioi*, see Pachymeres I.ii, 525–27 (the case of the *oikeios* Likario).

[90] See, for example, Kantakouzenos I, 76.

and enemies of his enemies."[91] The historian George Pachymeres used the language of friendship to express the relationship between a Western master and his vassals. In a reported speech by Andronikos II to the Catalan Grand Company in 1305, the emperor mentioned that the Catalans were serving their leader and "friend" Roger de Flor, who was their leader.[92] Thus, for a learned Byzantine author feudal fealty and friendship were closely related concepts. Nikos Svoronos, who noticed the parallelism of ideas between Laskaris' treatise and the oath, has therefore been justified when he placed the treatise in the context of feudal ideas of contractual social relationship.[93]

Indeed, the description of a society organized by political friendship in Laskaris' treatise is strikingly similar to the feudal hierarchy in the medieval West. Laskaris saw the polity as a pyramidal network of personal relationships topped by the emperor; he was conspicuously silent about public institutions. Laskaris envisioned an economic element in the relationship between the emperor and his dependent friends, in a way similar to the grants of benefices or fiefs. He also considered that the emperor, like the feudal lords in the West, had the duty to protect his dependent friends. It is significant that Laskaris spoke of foreign mercenaries and refugees in Nicaea, for these social strata, as will be shown in chapter 10, tended to take oaths of fealty to the emperor. The similarities notwithstanding, Laskaris' ideas do not correspond fully to the classical Western model of feudalism.[94] We learn nothing about the institutional mechanisms (oaths or written contracts) or ritualized acts (commendation) which served to strengthen and formalize feudal ties of dependence in the West. A vassal had the legally defined duty to render military help (*auxilium*) and provide counsel (*concilium*) to his lord. By contrast, Laskaris never spoke of the obligation of the dependent friend to serve his master militarily. Instead of counsel, Laskaris mentioned the duty of the friend to supply his lord with useful information and not to pry into his personal affairs. Thus, the component of "help" and "counsel" in Laskaris' political model pertained mainly to the preoccupations of the emperor within the social environment of the court. One further observation deserves mention. Although the author never spoke of

[91] MB, vol. 6, 652–53, an oath formulary from a fifteenth-century manuscript. See chapter 10, n. 69.

[92] Pachymeres II.iv, 533.35: "being in the service of their associate and friend"(τῷ συνήθει καὶ φίλῳ δουλούμενοι). For the use of the word "friendship" in the history of Niketas Choniates (where "friendship" sometimes refers to a semifeudal alliance), see A. Kazhdan and G. Constable, *People and Power in Byzantium: An Introduction to Modern Byzantine Studies* (Washington, 1982), 28.

[93] N. Svoronos, "Le serment de fidélité à l'empereur byzantin et sa signification constitutionnelle," REB, 9 (1951), 106–42, esp. 138–39. In chapter 10, pp. 329–43, we shall examine the social profile of the special subjects and the importance of this oath for the political ideas of Manuel Moschopoulos.

[94] See F. Ganshof, *Feudalism*, trans. P. Grierson, 3rd edn. (New York, 1967).

institutions, his silence should not be interpreted as a desire to supplant them entirely with a network of personal relationships. This was impracticable, and was not the goal of Lakaris' policies. Rather, political friendship was for him a web of personal relationships permeating the institutions of the empire and creating lasting bonds of loyalty. The scheme of social relations outlined by Laskaris was quasi-feudal, replicating some elements of the Western feudal model but differing greatly from others.

Natural and unnatural nobility

Of all the interesting political ideas in the treatise on friendship, the one which Laskaris chose to pursue in other works and to develop further was his attack on the role of kinship in the empire. He did not consider friendship to be the sole ideological alternative to kinship. In a number of his epistolary and philosophical works Laskaris offered definitions of the concept of "nobility" (*eugeneia*) which he contrasted with blood nobility. In fact, it will be no exaggeration to say that Laskaris was obsessed with reassessing the meaning of nobility in his writings. In Byzantium there always were different interpretations of what nobility was. The late Byzantine historians used the concept in a social sense, referring by the word *eugeneis* to the political and social elite of the empire. Yet, as has been shown, the concept of nobility (*eugeneia*) never became an official or legal term designating the aristocracy. Rather, various people, ranging from aristocrats of respectable family stock (for example, members of the Palaiologan family) to *novi homines*, could – and did – claim ennoblement.[95] In other words, the possession, or lack, of nobility was ultimately subjective.

One of the earliest texts in which Laskaris presented his views on nobility is his philosophical treatise *Six Discourses on the Natural Communion*. Here Laskaris sought to demonstrate the existence of two ontological principles of communion within the animate and the inanimate worlds: nature (*physis*) and "placement"or "convention" (*thesis*).[96] Of the two, nature was the main and preferable principle. For Laskaris nature was the source and

[95] A. Laiou, "The Byzantine Aristocracy of the Palaeologan Period: A Story of Arrested Development," *Viator*, 4 (1973) 131–51; P. Magdalino, "Byzantine Snobbery," in M. Angold (ed.), *The Byzantine Aristocracy, IX to XIII Centuries* (Oxford, 1984), 62–68.

[96] See Theodore II Laskaris, *Six Discourses on the Natural Communion*, PG, vol. 140, col. 1339C ff. The translation of θέσις as "placement" is a literal one. Neoplatonic commentators on Aristotelian philosophy, such as Elias and Alexander of Aphrodisias, used the word with the meaning of "convention" and "custom," positing that justice existed by nature, while the laws existed by convention (θέσει). See Richter, *Theodoros Dukas Laskaris*, 42–43. On the dichotomy of "nature" vs. "placement," see ibid., 24–31. Richter suggests that the best translation of these two principles, in the language of Kantian philosophy, is that of "*dasein*" vs. "*sosein*."

confluence of the four elements; it existed in the inanimate physical world (for example, in motions) and in social interactions (for example, in cities, villages, and households). The fifth discourse of the treatise discussed the role of nature in social interactions. Education and learning were inherent in nature. By contrast, "convention" was an inferior principle of communion in human society: an example given by Laskaris describes how victory in an athletic contest occurs by nature, while one in a drinking bout takes place by convention. Significantly, Laskaris regarded associations influenced by nobility of birth as running contrary to nature:

> That which exists by nature is always better and more precious than the one by convention, unless someone misjudges reality and makes unsound associations, having been deceived by nobility of family or native city or parent. Virtues and life are examined by the wise and wisely acting people – [and that is what is] true and divine nobility.[97]

Thus Laskaris posited that true nobility was based on virtue and was part of nature, while blood nobility was based on convention and was inferior to real nobility. At the end of the fifth discourse of the treatise Laskaris recapitulated his views on nobility, noting that there was one "true nobility" among animate and inanimate, rational and irrational creatures: "nobility by nature." There also was only one "communion by nature," while the rest were inferior.[98] It is interesting that in the ninth century Pseudo-Basil had also explored in his mirror the interrelationship of nature, kinship, and virtue, and had reached a different conclusion. While Laskaris considered nature and kinship to be incongruous, Pseudo-Basil saw nature as bonding kin together and generating friendship (an Aristotelian premise), although this friendship was not necessarily one based on virtue.[99] This may be an

[97] Theodore II Laskaris, *Six Discourses on the Natural Communion*, PG, vol. 140, col. 1357A: τὸ μὲν οὖν φύσει ἀεὶ τοῦ θέσει καὶ κρεῖττον καὶ τιμιώτερον, εἰ μή τις παραλογίζεται τὰ πράγματα, καὶ γένους ἢ πατρίδος ἢ τεκόντος εὐγενείᾳ ἀπατώμενος παραλόγους ποιεῖ τὰς κοινωνίας αὐτοῦ. Πᾶσι γὰρ τοῖς σοφοῖς καὶ τοῖς σοφῶς πράττουσιν ἀρεταὶ καὶ βίος ἐλετάξονται [*sic* read: ἐξετάζονται], ἡ ἀληθὴς καὶ θεία εὐγένεια. This passage is influenced by Plato's *Apology*, 38a. Laskaris modeled himself after Socrates in the fourth book of the *Explanation of the World*. His letters also reveal that he had read some of Plato's dialogues. See *Theodori Ducae Lascaris Epistulae*, no. 23, 29; no. 105, 144.

[98] Theodore II Laskaris, *Six Discourses on the Natural Communion*, PG, vol. 140, col. 1362B: "For there is one true nobility and honor among all creatures, both the living and the soulless, the rational and the irrational – nobility by nature – and there is one association by nature and according to knowledge, while the other associations are not good" (μία γάρ ἐστιν ἡ ἀληθὴς εὐγένεια καὶ τιμὴ ἐν ἐμψύχοις τε καὶ ἀψύχοις ἐν λογικοῖς καὶ ἀλόγοις καὶ πᾶσιν, ἡ φύσει εὐγένεια, καὶ μία κοινωνία ἡ κατὰ φύσιν καὶ ὅσον πρὸς ἐπιστήμην, αἱ δ' ἄλλαι οὐκ ἀγαθαί).

[99] Pseudo-Basil, 53, ch. 12: "Friendship within the family has been the consequence not of virtue, but of nature; rightly it may be reckoned as not based on free will. But friendship of good friends has prospered around you because of virtue and voluntary decision" (ἡ μὲν γὰρ τοῦ γένους φιλία οὐκ ἐξ

insignificant divergence in ideas, yet it highlights the low regard of Laskaris for associations based on the family and the importance he accorded to nature, natural philosophy, and what he considered to be natural order within social relations.

In the same fifth discourse of the treatise Laskaris also discussed the "ennoblement" of professions that formed part of the natural communion. The discussion grew out of the idea that both the use of reason and utilitarian content made a profession natural or associated with nature. The author mentioned three natural professions: the military commander, the doctor, and the farmer. With regard to the last, Laskaris refuted the counterargument that the farmer lacked reason and urged his opponents to consider the circumstance that his skills were there for a reason.[100] The skill of the agriculturalist, he asserted, had been invented in the distant past, as the myths of Hesiod clearly testified. "The tiller of the land," wrote Laskaris, "inquires about seasons and places and causes," and by this effort of the mind makes his traditional profession "more noble."[101] Further on in the treatise, the Nicaean crown prince noted that even the pettiest craftsman possessed reason.[102]

The value which Laskaris attached to the work of the peasant is hardly accidental. Nicaea was a land-based empire, and John III Vatatzes was especially concerned with the economic well-being of the countryside. As we have seen earlier, Nicaean imperial propaganda was preoccupied with stressing social justice in the agricultural hinterland. Motivated most probably by this concern Theodore II Laskaris abandoned the social prejudices so typical of late Byzantine intellectuals. Elsewhere in the fifth discourse of the treatise Laskaris noted that the shoemakers of Philadelphia, evidently a local center of the craft, possessed a profession no less natural than that of the philosopher living in the capital city of Nicaea, despite the fact that force of tradition made people look down on the otherwise valuable labor of artisans.[103]

ἀρετῆς, ἀλλ᾽ ἐκ φύσεως περιγέγονεν, ἥτις οὐδὲ ἑκούσιος σὺν δίκῃ κριθείη· ἡ δὲ τῶν σπουδαίων φίλων ἐξ ἀρετῆς καὶ γνώμης ἑκουσίου κατώρθωται περὶ σέ). On Aristotle's idea that friendship between kinsmen was natural, see above n. 78. Kinship was seen as a part of nature in a preamble which justified ideologically the granting of an appanage by John V Palaiologos to his son Manuel II (December 1371). See F. Tinnefeld, "Vier Prooimien zu Kaiserurkunden, verfaßt von Demetrios Kydones," BSl, 44 (1983), 178–79, 185–86 (on the date of the preamble). The love of a father for his son was said to be part of nature, and, therefore, John V decided to grant an appanage to him.

100 Theodore II Laskaris, *Six Discourses on the Natural Communion*, PG, vol. 140, col. 1358A.

101 Ibid., col. 1358B. 102 Ibid., col. 1362A.

103 Ibid., col. 1348A. Theodore II provides interesting information about the economic specialization of different regions in the Balkans and Asia Minor. For example, we learn that cloth production was an important craft in Thessaly. See col. 1343A.

Nobility of soul and blood

Theodore II Laskaris introduced another ideological argument against the aristocracy by systematically pitting the Christian understanding of nobility as a moral virtue against the view that nobility was acquired by birth. Laskaris certainly did not innovate in presenting the former definition of nobility; what is remarkable is the way in which he contrasted the two definitions, often in the context of political commentary. The Greek fathers of the church had defined nobility in a moral sense, connecting it with piety and life in Christ. Numerous examples of this early Christian definition can be adduced. Some in particular deserve to be cited, as they are relevant to Laskaris' ideas. Theodoret of Cyrrhus and John Chrysostom argued that all humans bore a trace of nobility – the primary nobility (*protera eugeneia*) which God bestowed on the human race at the time of the creation and was lost after the original sin. The incarnation of Christ enabled humanity to return to its original state of nobility.[104] In his twenty-sixth oration (entitled "To Himself") Gregory of Nazianzus formulated views on nobility in explicit opposition to the claims of nobility of birth raised by the upper strata of society. Here he described and assessed four different kinds of nobility. First, all humankind was ennobled because of our creation after God's likeness. Second, nobility of the body was attained by physical training, but this was not a true nobility. Third, one could attain varying degrees of nobility by practicing virtue, in accordance with the ability to maintain intact or lose the likeness of the Godhead innate in us. It is the truly wise man and the philosopher who could hope to acquire in full this kind of nobility. Gregory of Nazianzus categorically denounced the fourth kind of nobility – the one based on "blood and decrees which the night and the ignoble hands of the emperors confer." The wellborn person and the imperial official boasted this type of illusory nobility.[105]

The early Christian view of nobility was ubiquitous in Byzantine monastic florilegia, which often contained chapters on "nobility and ill

104 See Theodoret's commentary on psalm 66, PG, vol. 80, col. 1328, and the sermons of John Chrysostom, PG, vol. 52, col. 768; vol. 53, col. 367; vol. 57, col. 188; vol. 62, col. 270. In the panegyric of his brother Saint Basil, Saint Gregory of Nyssa saw nobility as intimacy with God. See J. Stein, *Encomium of Saint Gregory, Bishop of Nyssa, on his Brother Saint Basil, Archbishop of Cappadocian Caesarea* (Washington, 1928), 52.12–14, 54.11–12.

105 J. Mossay, *Grégoire de Nazianze, discours 24–26* (Paris, 1981), 250. Elsewhere Gregory of Nazianzus also referred to true nobility as the ability to preserve the likeness of God in oneself. See Gregory of Nazianzus, "Funerary Oration on his Sister Gorgonia," PG, vol. 35, col. 796B. The same idea is also found in Theoktistos the Studite's panegyric of Patriarch Athanasios I (1289–93,1303–09). See R. Fusco, "L'Encomio di Teoctisto Studita per Atanasio I di Costantinopoli," *Rivista di studi bizantini e neoellenici*, n.s. 34 (1997), 113, ch. 2.5–6. See also MM, vol. 6, 193 (a patriarchal document of May 1258 issued during Theodore II's lifetime).

birth."[106] It exercised considerable influence on the Byzantine tradition of the mirrors of princes. Agapetos the Deacon, Pseudo-Basil, and Kekaumenos all understood nobility as inner virtue. Kekaumenos explicitly contrasted this understanding of nobility with aristocratic claims of high birth.[107] After 1204 the Nicaean patriarch Germanos II made use of the ecclesiastical definition of the concept to criticize in a polemical sermon the claims of Constantinopolitan émigrés that they were more noble than the patriarch, who originated from the little town of Anaplous on the Bosporus.[108]

Theodore II Laskaris actively seized upon this line of thinking to attack the ideological position of aristocracy. In the first place, he showed a remarkable preoccupation with defining the meaning of nobility. His encomium on Saint Tryphon digressed to present his definition – nobility was "the separation from matter rather than the turmoil of material life and conceited behavior."[109] Only a man pursuing a solitary and simple life, such as the goose-keeper Tryphon, could hope to attain true nobility, the primary nobility of the creation.[110] Laskaris declined to take pride in the nobility of his own family, despite the fact that he had impeccable credentials to put forth such claims as a son, grandson, and great-grandson of emperors. We must remember that court rhetoric during the reign of John III Vatatzes did not emphasize the virtue of the emperor's nobility, quite in contrast to the situation in the Palaiologan era. In their own literary works Palaiologan emperors and princes did not fail to tout their noble pedigree. Michael VIII in his propagandist autobiography and Theodore Palaiologos of Montferrat in the preface to his treatise both flaunted their lineage.[111]

[106] See the florilegium *Loci Communes* (ninth–tenth century) attributed to Maximos the Confessor, PG, vol. 91, cols. 992–994; M. Phillips. "Loci Communes of Maximus the Confessor, Vaticanus Graecus 739," Ph.D. dissertation, Saint Louis University, 1977, 690–96. Cf. also the *Melissa* florilegium (tenth–eleventh century), PG, vol. 136, cols. 1196–97. For the date of these florilegia, see M. Richard, "Florilèges spirituels grecs," *Opera Minora*, vol. 1 (Turnhout, 1976), Study I, cols. 486–94; E. Jeffreys and A. Kazhdan, "Florilegium," ODB, vol. 2, 793–94. A chapter on nobility also figures in a versified florilegium of the late thirteenth or early fourteenth century; see D. Constantinides, "Ἀνδρονίκου Παλαιολόγου κεφάλαια περὶ ἀρετῆς καὶ κακίας," *Byzantina*, 15 (1989), 202.

[107] Agapetos the Deacon, 28, ch. 4; Pseudo-Basil, 70–71, ch. 58; Kekaumenos, 286.8–17, cited the opinion of some people that the emperor Michael IV Paphlagon (1034–41) had been of low origin and objected by noting that all of Adam's descendants were equally noble.

[108] S. Lagopates, *Γερμανὸς ὁ Β' πατριάρχης Κωνσταντινουπόλεως–Νικαίας. Λόγοι, ὁμιλίαι καὶ ἐπιστολαί* (Tripolis, 1913), 281–87. This is the only anti-aristocratic sermon by a Byzantine ecclesiastic known to me.

[109] *Acta Sanctorum, Novembris*, vol. 4, ed. H. Delehay (Brussels, 1925), col. 353B.

[110] Ibid., cols. 352E, 353B.

[111] H. Grégoire, "Imperatoris Michaelis Palaeologi de Vita Sua," B, 29–30 (1959–60), 449, where Michael VIII noted the direct imperial descent of his mother from imperial princesses and of his father from imperial sons-in-law. Cf. Theodore of Montferrat, in Knowles, *Enseignements*, 25.

Laskaris voiced the opposite attitude in his apology addressed to those who urged him to remarry after the death of his wife Helena Asanina. Laskaris quoted verbatim the opinion of his opponents, who saw remarriage as the logical step for a wealthy and noble prince:

> You have a most illustrious abundance of wealth, the height of a throne riding in the clouds, the exalted imperial dignity, the famous name of your family, as an imperial offshoot and a most noble lion cub, and you should not withdraw from worldly affairs, because the hopes of many are directed at you.[112]

Laskaris responded to this view with a lengthy disquisition about the merit of a life devoted to philosophy. He then raised the counterargument that Christian philosophy constituted a higher form of nobility. "Thrones fall and life vanishes," noted Laskaris. Therefore he preferred a philosophical contempt for this world, so that he could become nobler on account of his misfortune. Laskaris vowed before his opponents to remain continent, even if forced to remarry, and declared sarcastically that he would prefer to have Philosophy herself as his new bride.[113] It is evident that the author defined here philosophy in its Christian sense as monastic asceticism, and it is probable that he alluded to Gregory of Nazianzus' thesis in his twenty-sixth oration about the philosopher as the truly noble man.[114] Another work of Laskaris dating to this period voices the very same attitude to nobility. The *Ethical Epitomes Describing the Instability of Life* underscore that "nobility is measured not by blood, but by way of virtue and by simplicity and purity of conduct."[115]

The social subversiveness of this definition of nobility becomes apparent when one takes into account the fact that on his accession Theodore II Laskaris called George Mouzalon noble, despite his notoriously low birth.[116] The first time Laskaris made this statement was in his letter to Mouzalon during the war against the Bulgarians in 1255, when the emperor's conflict with the aristocracy was gathering momentum. Here Laskaris notified Mouzalon of the progress of his campaign, his delivery from the Bulgarians because of the miraculous intervention of Saint Tryphon, and his conflict

[112] *Opuscula rhetorica*, 112.64–113.70: ἔχεις βίου περιφανεστάτην περιουσίαν καὶ θώκου νεφοδρομοῦντος καὶ ταῖς ὑπεροχαῖς αἱρομένου τοῦ βασιλικοῦ ἀξιώματος ὕψωμα καὶ γένους περιβόητον ὄνομα, ὡς ὄρπηξ βασιλικὸς καὶ ὡς εὐγενέστατος σκύμνος λεοντιδής, καὶ οὐ δεῖ σε μεριμνῶν ἀποχωρεῖν κοσμικῶν, ἐπειδὴ ἐπὶ σοὶ πολλῶν ἐλπίδες σαλεύονται.

[113] Ibid., 113.74–77, 115–116. Indeed, Laskaris never remarried.

[114] F. Dölger, "Zur Bedeutung von ΦΙΛΟΣΟΦΟΣ und ΦΙΛΟΣΟΦΙΑ in byzantinischer Zeit," *Byzanz und die europäische Staatenwelt* (Aalen, 1953), 125–36. See above n. 105.

[115] Paris, Bibl. Nat., Cod. gr. 1193, fol. 124 v.: οὐ γὰρ αἵματι ζυγοστατεῖται εὐγένεια, ἀλλὰ ἀρετῆς τρόπῳ καὶ ἁπλότητι διατριβῆς καὶ καθάρσει.

[116] See above, n. 25.

with some unnamed opponents who were dragging the army to perdition.[117] In another letter to Mouzalon Laskaris was more specific, referring to his opponents as the "ill-reputed" Tornikoi and the "lawless" Strategopouloi, that is, the generals Constantine Tornikes and Alexios Strategopoulos.[118] Laskaris wrote to Mouzalon that a philosopher, a friend, and a noble person (*eugenes*) would not fail to lament this unfortunate situation.[119] As Theodore II Laskaris specified, Mouzalon's nobility was a moral characteristic: a nobility of the soul.[120]

Laskaris discussed nobility in greater detail and along similar lines of interpretation in the third book of his *Explanation of the World*, the "Pillar of the World or Life," addressed to George Mouzalon. He composed this book, or at least finished it, in the years 1256–58 during the high tide of his anti-aristocratic policies and shortly after he had written his letter to Mouzalon from the Bulgarian front. Here Laskaris rehashed Christian ideas of nobility as a moral virtue, noting that the best form of nobility issues from the inside and not the outside, and that "true nobility" was a feature of character.[121] At the end of the "Pillar of the World or Life," the author explicitly praised Mouzalon for possessing "nobility of character."[122] Laskaris admitted that his contemporaries often used the word in reference to immoral, vain, and deceitful people, who – like bad shepherds – brought only disaster to their flock. Here the author certainly referred to his aristocratic opponents, accusing them of greed and incompetence.[123] Against their claim of ennoblement, Laskaris pitted two Old Testament figures

[117] *Theodori Ducae Lascaris Epistulae*, no. 199, 244–46.

[118] Ibid., no. 204, 252.55–56; see Akropolites I, 114, where the incident is described in some detail.

[119] *Theodori Ducae Lascaris Epistulae*, no. 199, 245.25–27. [120] Ibid., no. 199, 245.27–28.

[121] N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 31.5–9: "Indeed, the nobility which is the best one and is delightful is that flowing from the inside out and not that eager to glorify the inside through external matters. For true nobility is good mores and a mind not falling down towards matter, a father of most noble thoughts. Nobility of character makes illustrious the one who acts accordingly" (ἀρίστη γοῦν καὶ καλὴ ἡ εὐγένεια, ὅση γε ῥέει ἐκ τῶν ἔνδοθεν τοῖς ἐκτός, καὶ οὐχὶ ἡ ἀπὸ τῶν ἐξωτερικῶν βουλομένη σεμνύνειν τὰ ἔνδοθεν. ἤθη γὰρ χρηστὰ εὐγένεια ἀληθής, καὶ νοῦς οὐ κείμενος κάτω πρὸς ὕλην πατὴρ νοημάτων εὐγενεστάτων· εὐγένεια τρόπου περιφανῆ ποιεῖ τὸν ποιοῦντα αὐτόν).

[122] Ibid., 38.5: "you who have been honored with nobility of character" (σὲ δὲ τιμώμενον εὐγενείᾳ τρόπου).

[123] Ibid., 31.10–14: "There is, too, a greedy eye moving its impulses towards dark matters and ears receptive of empty babble, and a tongue echoing lies. Often the person who possesses these characteristics has the designation of nobility, through which he deceives the lambs, removes the fence of truth and devours them all mercilessly" (ἔστι δὲ καὶ ὀφθαλμὸς λίχνος μετατιθέμενος τὴν ὁρμὴν ἐπὶ τὰ ζοφώδη καὶ ἀκοὴ δεχομένη κενολογίας καὶ γλῶσσα ἠχοῦσα ψευδῆ· ὄνομα δὲ πολλάκις εὐγενείας τῷ ταῦτα ἔχοντι· δι' οὗ ἀπατᾷ τοὺς ἄρνας καὶ τὸν φραγμὸν ἐξάγει τῆς ἀληθείας, καὶ ἐσθίει ὅλους ἀνηλεῶς).

who, according to him, exemplified real nobility. The first was Moses, who rose to the position of lawgiver of the Jews "out of nothing" (ἐκ μὴ ὄντος), that is, from a lowly social position. The second was the virtuous Joshua, who became a leader because he obeyed Moses and through the choice of the Almighty. The example of Joshua, who was ennobled by submission to Moses, should most probably be seen as a veiled reference to Laskaris' chief minister, George Mouzalon.[124]

Thus Theodore II Laskaris brought together ideas stemming from various intellectual and philosophical traditions in order to address conceptually and theoretically the principal problem that occupied him during his brief reign – his conflict with the aristocracy. Laskaris was not original in defining nobility in a Christian moralistic sense, although the way in which he made use of this definition in polemical contexts and set it against the social meaning of the word was certainly unusual for Byzantine political literature. In the broader medieval context Laskaris' attempt at reinterpreting the meaning of nobility finds remarkable Western parallels. In medieval France and Italy various social groups and their ideological representatives sought to disconnect the meaning of nobility from its social connotation. During the twelfth century, clerics at the court of the French kings reacted to the rising power of knights by claiming that true nobility was "nobility of the soul."[125] In the thirteenth century, troubadours raised similar ideological objections to the concept of blood nobility. Their views have been interpreted as representing the lower knighthood in an age when the Western aristocracy was becoming an increasingly closed, legally defined class.[126] In the early Italian Renaissance, the scholar Brunetto Latini (ca. 1220–1294) and his student, Dante Alighieri (1265–1321), also sought to define nobility as a moral category and thus defended the principle of civic liberty against the political ambitions of noble classes. Remarkably, they expressed their opinion in the context of rhetorical works, as the Nicaean author also frequently did.[127] Since there is no evidence that Laskaris knew of these intellectual debates in the West, the similarity in ideas should be viewed as

[124] Ibid., 31.1–5.

[125] G. Duby, *The Three Orders of Society*, trans. A. Goldhammer (Chicago, 1980), 340. The views on nobility among monks in the West were similar to those of the Greek fathers of the church. Cf. J. Leclercq, *Études sur la vocabulaire monastique du moyen âge* (Rome, 1961), 123–24. See in this context the thirteenth-century treatise on nobility, M. Colker, "De nobilitate animi," *Mediaeval Studies*, 23 (1961), 53–78.

[126] E. Köhler, "Zur Diskussion der Adelsfrage bei den Trobadors," in *Medium Aevum vivum: Festschrift für Walther Bulst* (Heidelberg, 1960), 161–78, esp. 165.

[127] See Q. Skinner, *The Foundations of Modern Political Thought*, vol. 1: *The Renaissance* (Cambridge, 1978), 45–46 (a discussion of Latini's *Book of Treasure* and Dante's *Banquet*). Dante's views were taken

one of the many structural parallels between the two sibling civilizations of Byzantium and the Latin West.[128]

The other objections raised against the political significance of kinship ties, namely that kinship runs in opposition to friendship and to the natural order of things, seem to have been original interpretations of the author. Seen from a historical perspective, the most radical of Laskaris' ideological attacks on kinship was his theory that the empire consisted of a network of reciprocal personal relationships. In proposing this model, Theodore II Laskaris abandoned age-old ideas about the emperor as a public official, impartial judge, and impartial benefactor. Laskaris' critiques of the aristocracy did not lead to a rearticulation of the conception of universally applied generosity that excluded the possibility of privileged classes, as the mirrors of princes tended to counsel, but instead led him to propose quasi-feudal ideas couched in Aristotelian language. In this curious mixture of ideas Theodore II Laskaris made an original contribution to Byzantine political thought.

A BYZANTINE MACHIAVELLI BEFORE MACHIAVELLI?

The articulation of an anti-aristocratic ideology was not the sole innovative aspect of the political thinking of Theodore II Laskaris. A number of disparate ideas floated by the Nicaean ruler constitute, when considered in their totality, an entirely new approach to political theory. In various works Theodore II Laskaris attempted to set imperial power above the legal and moral limitations traditionally prescribed by the mirrors of princes. In so doing, he gave legitimacy to apocryphal political ideas, such as hatred by the subjects, violence, and even tyranny. In the history of Western political thought, the boldest rejection of the medieval nexus of politics and morality was *The Prince* of Niccolò Machiavelli (1469–1527). Machiavelli marked the beginnings of early modern political thought when he embarked on a discussion of kingship and politics free of moral and religious prejudice.[129]

seriously by the legal commentator Bartolus of Saxoferrato (1314–57). At the end of his commentary on the Justinianic code Bartolus discussed the meaning of nobility and took issue with Dante. See ibid., 59–60.

[128] On the notion of structural parallels between Byzantium and the West, see M. McCormick, "Byzantium's Role in the Formation of Early Medieval Civilization: Approaches and Problems," *Illinois Classical Studies*, 12 (1987), 207–20.

[129] For a discussion of Machiavelli in the context of the development of political thought in the West, see I. Berlin, "The Originality of Machiavelli," in his *Against the Current: Essays in the History of Ideas* (London, 1979), 25–79 (with a useful review of different interpretations of Machiavelli); Skinner, *Foundations*, vol. 1, 113–38; Skinner, *Machiavelli: A Very Short Introduction* (Oxford, 1981).

The agenda and the circumstances which drove Macchiavelli to discuss the ideal prince were, of course, much different from those of Laskaris. The empire of Nicaea was not Renaissance Florence. Laskaris himself was a prince writing about the nature of the kingship, not an ex-chancellor in the service of the Florentine republic. Yet, just like Machiavelli, Laskaris was a truly revolutionary thinker. Here we will focus on those of his ideas which mark a decisive break from medieval kingship literature in a way characteristic of the political thinking of Macchiavelli.

Some introductory remarks are needed. Laskaris was neither the first nor the only Byzantine intellectual to admit that the ruler could act unscrupulously if this action was for the public benefit. Similarities with Macchiavelli's *Prince* have been spotted in the *Chronographia* of Michael Psellos, the eleventh-century Byzantine historian, who idealized the ruthless policies of the emperor Basil II the Bulgar-slayer (976–1025) and saw them as forming the criteria for successful rulership.[130] In the following century Anna Komnena praised in the *Alexiad* her father, the emperor Alexios I Komnenos, for using fraud and cunning in his military engagements with the enemy.[131] In the early fourteenth century another historian, George Pachymeres, made a similar comment, observing that "oftentimes a man who is irreproachable in morality wobbles in administrative matters, and in turn the one who excels in this respect does not attain virtue in politics."[132] The direct impact of Machiavelli and fellow Renaissance thinkers has been detected in the history of Laonikos Chalkokondyles, a fifteenth-century historian who completed his work after the fall of Constantinople, although in this case the similarity lies in common conceptions of historical causality.[133]

Theodore II Laskaris was not a historian but a theorist and a philosopher, and thus he comes closer to the speculative spirit of Machiavelli. His Machiavellian ideas are richer and more radical than those of any Byzantine historian. Although dispersed throughout Laskaris' diverse works, many of them converge in the third and fourth books of his philosophical treatise *Explanation of the World*. These two books date to the period after his accession to the imperial throne and are colored in different ways by his policies and experience, especially by his conflict with the aristocracy and with his ex-teacher Blemmydes. We can trace several successive stages of the

[130] Cf. A. Kaldellis, *The Argument of Psellos' Chronographia* (Leiden, 1999), 41–51.

[131] Anna Comnena, *Alexiad*, ed. B. Leib (Paris, 1945), XIII.4, 100–01; XV.3, 195–196. Cf. also Leo VI, *Taktika*, PG, vol. 107, col. 1017A.

[132] Pachymeres II.iii, 185.24–26. Pachymeres attributed this line of reasoning to the opponents of the rigorous patriarch Athanasios I, among whom he counted himself.

[133] J. Harris, "Laonikos Chalkokondyles and the Rise of the Ottoman Turks," BMGS, 27 (2003), 153–70.

development of Laskaris' ideas in their divergence from traditional norms of kingship. First, Theodore II Laskaris questioned or rejected imperial virtues featured in the mirror of Blemmydes. Second, Laskaris advanced the idea, which is stunningly uncharacteristic of Byzantine political thought, that disorder and inconstancy were the true marks of politics. Third, the Nicaean emperor argued that law and morality should not limit the political actions of the ruler. Finally, and most remarkably, Laskaris reassessed the concept of tyranny. He regarded tyrannical conduct and the use of violence as acceptable ways of political conduct of the ruler, if used for the larger benefit of the imperial polity.

Laskaris rejected forcefully the theories of rulership put forth by his mentor Blemmydes in his mirror of princes. In the fourth book of *Explanation of the World* – "On Obscurity and the Testimony that the Author is Ignorant of Philosophy" – he took up the philosophical posture of an ignorant man, imitating Socrates in Plato's *Apology*. Laskaris claimed complete ignorance of the art of kingship and specifically professed not to know nineteen imperial virtues, mostly derived from Blemmydes' *Imperial Statue*.[134] This was not the first time Laskaris dismissed the moral teaching of Blemmydes. In his treatise on friendship he had rejected the stoic ideal of self-control and avoidance of luxury which occupied a prominent place in the *Imperial Statue*. There Laskaris pointed out that the emperor was the supreme source of friendship for the sake of pleasure, since he could provide his friends with diverse delights at the imperial palace, including food and clothes. When referring to clothing, Laskaris mentioned that the emperor could offer his friends exquisite garments worthy of a woman – in open contradiction to the mirrors and court oratory which portrayed femininity negatively.[135] In the fourth book of *Explanation of the World* Laskaris went further and made a dramatic and scathing rejection of all the traditional virtues of the ruler. This rejection involved no revisionism, but rather reflected a momentary condition: his polemic with Blemmydes and a certain sense of pessimism about the value of secular philosophy, including political knowledge. At the very end of the book Laskaris wrote that what mattered in the end was one's knowledge of God, and remarked that an emperor like him, crowned

[134] N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 48.7–51.15. Andreeva, "Názory," 74–79, and "Polemika," 25–32, has shown that these traditional virtues corresponded, each in a varying degree, to passages from the *Imperial Statue* of Blemmydes.

[135] *Opuscula rhetorica*, 131.265–69; Blemmydes, *Imperial Statue*, 48, ch. 17 (due to passions); 52, ch. 29 (lust turns men into women); Gautier, *Théophylacte d'Achrida*, 193.13–14: ὁ θῆλυς Σαρδανάπαλος. For examples from thirteenth-century imperial panegyric, see Choniates, *Orationes*, 130.10–22, and Previale, "Un panegirico inedito," 23.19.

by God, could hardly be ignorant of divine knowledge.[136] A similar idea figures in the roughly contemporary third book of *Explanation of the World*, "Pillar of the World or Life," where Laskaris noted that God acted as the "soul" of nature, which for its part governed over everything in the world.[137] Faced with the imminent prospect of death and Blemmydes' accusations of impiety, Laskaris sought closeness to God and maintained a certain distance from secular learning.

The third book of the *Explanation of the World* is more innovative than the fourth and presents a different paradigm of imperial rulership from that found in the mirrors of princes. It is worth remembering that the stated purpose of the "Pillar of the World or Life" was to demonstrate to Laskaris' favorite minister George Mouzalon that inconstancy and disorder were the chief characteristics of the entire world, comprising nature and the human community.[138] Laskaris, further, explained that he was writing philosophy on the basis not of abstract reasoning, but of practical experience and observations of the real world.[139] He structured the philosophical treatise within the framework of the continuous changes of the four seasons, a natural sign of inconstancy. At the outset the author declared that he had often studied things "in nature" and "below nature" (a reference to his treatise *Six Discourses on the Natural Communion*) and that he had found nothing fixed. Therefore he had formulated his fundamental premise that inconstancy was characteristic of the particulars, while constancy marked the whole and its source was God.[140] Order and disorder, the chief elements of life, existed side by side and were in a dialectical relationship to each other, the one engendering the other, and vice versa.[141] Laskaris' concern with inconstancy and instability is, of course, not in itself a novelty. It

[136] N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 52.5–14. This ending of the treatise agrees with the comment of Laskaris in the preface to the *Explanation of the World*, where he stated that his fourth book was the most "theological" one. See Festa, "Κοσμικὴ Δήλωσις," GdSAI, 11 (1897–98), 100.9–10.

[137] See Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 34.10–35.27, where Laskaris gave an account of an imaginary flight with the personification of Philosophy herself, who taught him this truth.

[138] See the programmatic statement about the purpose of the treatise: Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 25.12–14.

[139] Ibid., 23.1–2: "For me experience suffices not only for experience's sake, but also for the elucidation of many arguments" (ἐμοὶ δὲ οὐ μόνον εἰς πεῖραν ἀρκεῖ ἡ πεῖρα, ἀλλά γε καὶ πολλῶν λόγων διατράνωσιν).

[140] Ibid., 21.1–3: "Often examining things in nature and things below nature, as it has been customary, I did not see anything stable, but only that there is instability for all existing particulars, while binding stability exists from God" (Ἐγὼ πολλάκις ἐξετάζων τὰ ἐν τῇ φύσει καὶ τὰ ὑπὸ τὴν φύσιν ὡς ἔθος, οὐκ εἶδον στάσιμόν τι· πλὴν ὅτι ἀστασία τοῖς οὖσι μὲν μερικοῖς, στάσις δὲ συνοχὴ ὑπάρχει ἡ ἐκ Θεοῦ).

[141] Ibid., 26.30–27.1.

reflects the classical idea of the fickleness of fortune and the Christian one of divine providence. In one of his earlier rhetorical works, the *Ethical Epitomes Describing the Instability of Life*, Laskaris had mused at length on the uncertainty of fortune. What is noteworthy in the third book of *Explanation of the World* is the attempt by Theodore II Laskaris to apply the idea of inconstancy and disorder to the theoretical investigation of politics. Thus he subverted the Byzantine political ideal of right order (*taxis*) – an ideal honored in court ceremonial and implicit in the concept of imperial power as divine imitation.[142]

Theodore II Laskaris pointed to different examples of inconstancy in political affairs. Some were related to the standard image of the changeability of fate and divine providence: the fall of Jerusalem in the Old Testament (in which one could probably see an allusion to the fall of Constantinople to the Latins) and the brief moments of glory of rulers of old such as Hannibal, Brutus, and Alcibiades, which were followed by their sudden downfall.[143] Other examples of inconstancy were related to the Byzantine theory of kingship. The prevalence of disorder in the world meant that the author could not fit the portrait of the ideal ruler painted by Blemmydes. Laskaris pointed squarely to the impossibility of the ruler also being a philosopher, for philosophy and rulership were two very different pursuits in life.[144] Naturally, this statement ran contrary to the mirrors of princes and court rhetoric, which traditionally presented the emperor in the garb of a philosopher-ruler. In his treatise *Six Discourses on the Natural Communion* and in his epitaph on Frederick II, Laskaris himself had argued that the ideal emperor was also a philosopher.[145] His altered opinion in the "Pillar of the World or Life" shows a progression of his views after his accession to the throne in 1254. It must be remembered here that other political authors after 1204 also advocated a divorce between philosophy and rulership, and did so for similar reasons. Chomatenos, for example, considered the contemplative conduct of the philosopher to be incompatible with the active life of the ruler. For Laskaris, this incompatibility was a simple fact of life and evidence of disorder in the world. In "Pillar of the World or Life" he described his own public actions as marred by imperfection. According to Laskaris, he had introduced proper order among some of his unjust

[142] On *taxis* as a Byzantine political ideal, see H. Ahrweiler, *La idéologie politique de l'Empire byzantin* (Paris, 1975), 129–147; Kazhdan and Constable, *People and Power in Byzantium*, 60–61.

[143] N. Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 26.3–10, 26.14–18.

[144] Ibid., 25.16–17: "What order is there in the world? Plato said it well, but no philosopher is emperor because no emperor is philosopher" (ποία ἡ τάξις ἐν κόσμῳ; καλῶς εἴρηκε Πλάτων· ἀλλ' οὐδεὶς φιλόσοφος βασιλεύς, ὅτι οὐδεὶς βασιλεὺς φιλόσοφος).

[145] PG, vol. 140, col. 1361AB; *Opuscula rhetorica*, 90.121–91.132.

officials, while he had failed to do so with other similarly harmful officials. It is impossible to determine the identity of the imperial functionaries in question, although it is probable that Theodore II Laskaris was referring to tax collectors or *pronoia* holders, since he spoke of their unjust actions as "exactions gathered in blood."[146] The existence of disorder in life meant also that the subjects of the emperor fell short of the ideal. The subjects lacked constancy, for they dissimulated like foxes and concealed their thoughts, and the ruler could never govern over their hearts and minds.[147] Laskaris mentioned specific examples of the insincerity of his subjects. He wrote that he had seen adulterous people who simulated chastity, subjects who were ready to rebel against the emperor, murderers who received the praise of many for acting through the will of God, rich men who pretended to be poor and poor ones who pretended to be rich, and so on.[148] The author doubtless alluded to real individuals, and in two cases we can plausibly point to the identity of his foes. When remarking that he knew people who had "set murderous traps" and who then had attributed their hideous crime to others, he most certainly meant the governor of Thessaloniki, Theodore Philes, whom he had accused of murder in a personal letter.[149] When he spoke of rich men who pretended to be poor, he seems to be referring to Michael Palaiologos. Pachymeres reports, not without certain irony, an anecdote according to which the first Palaiologos flaunted his poverty at the time of his usurpation.[150]

Laskaris was not content simply to observe the mismatch between the teaching of Blemmydes on kingship – and thus the teaching of the mirrors in general – and the reality of a world that was not perfect. He made an attempt to close this wide gap by modifying theory and by bringing it in line with political reality. In his epitaph on the emperor Frederick II Hohenstaufen he discussed the nature of rulership in a strikingly realistic and innovative fashion. Here Laskaris bemoaned at length the absence of concord between

[146] Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 25.22–28. Andreeva, "Polemika," 13, n. 39, has recognized that this passage poses difficulties of interpretation. It seems to me that Laskaris referred to two different types of unjust officials, οἱ ἄρχοντες and οἱ ἐν τέλει, and then he noted that the same pattern of behavior is observable among private individuals (τὸ ἰδιωτικόν).

[147] Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 26.22–27, 27.2–27.

[148] Ibid., 28.1–15. Commenting on this passage Andreeva, "Polemika," 15–19, suggested that Laskaris was making allusions to Theodore Philes, Akropolites, Blemmydes, the patriarch Arsenios, and to the author himself.

[149] Ibid., 28.15–16. The governor of Thessaloniki, Theodore Philes, was one of the archenemies of Laskaris. In a letter to Akropolites, Theodore Laskaris mentioned that Philes had murdered his friend, a certain Tribides, and then had accused Laskaris of an illicit love affair. See *Theodori Ducae Lascaris Epistulae*, no. 78, 105–06. See also Laskaris' probable allusion to Philes as a murderer in the encomium on his father John III Vatatzes, discussed in chapter 5, pp. 179–80.

[150] Pachymeres, I.i, 97.2–4, 103.3–6, 107.7.

the ruler and his subjects, and formulated a new thesis: rulers were destined to incur blame for their good actions. This idea, with which he opened the epitaph, seems related to a brief remark in the *Imperial Statue*, namely that history knew many mocked and despised rulers.[151] Yet Blemmydes did not find in this anything admirable, and idealized the amicable relationship between a clement emperor and his subjects.[152] Laskaris' own observations led him to another conclusion. The Nicaean ruler must have been well informed about the civil wars in Italy that marked the last years of Frederick II's reign. We may also surmise that the political conflicts in Nicaea at the time, such as, for example, the mounting opposition of the aristocracy to John III Vatatzes' taxation policies, and Laskaris' emotional nature led him to elevate hatred between the ruler and the subjects to the pedestal of a political ideal.

In the opening section of the epitaph Laskaris expressed his pessimism about the way in which people remembered noble actions: they tended to forget them and recalled only misdeeds, even extremely petty ones.[153] Therefore the ruler was destined to become the laughing-stock of his subjects during his lifetime, since slanderers paid no attention to his achievements, his victories, and the hardships he underwent in times of military campaigning. Theodore II Laskaris suggested an appropriate behavior for the despised ruler: he should patiently bear the hatred of his subjects. For if he realized that hatred was a permanent feature of the relationship between rulers and subjects, he would be able to ignore ill feeling and accusations directed at him. By not taking notice of public opinion he would be able to carry out his God-given mission and would easily chase away "evil" from the polity, although making himself hated on account of such an action.[154] Further on in the treatise, Laskaris elaborated on the connection between hatred and the ruler's actions. He noted that the interests of the ruler and those of his subjects, or some of them at least, tended always to be at variance. Two policies were possible when this state of affairs existed. First, the ruler could attempt to please all his subjects by bowing to their wishes. For Laskaris this was an absurdity, for then the body politic would implode

[151] *Opuscula rhetorica*, 86.5–9. Cf. Blemmydes, *Imperial Statue*, 48–50, ch. 19. Note that Laskaris and Blemmydes used the same verb, καταμωκάω. For a similar idea in Psellos' *Chronographia*, see A. Kaldellis, *The Argument of Psellos' Chronographia*, 50–51.

[152] Blemmydes, *Imperial Statue*, 56, ch. 44; 61, 60, ch. 57.

[153] *Opuscula rhetorica*, ed. L.Tartaglia, 86.24–26: "All people have permanent and unbroken recollection of all kinds of partial shortcomings and misdeeds of the rotten and abnormal sort" (τῶν δέ γε οἵων δή τινων μερικῶν ἐλαττωμάτων τε καὶ ἀποπτωμάτων τῶν τῆς σαθρᾶς μερίδος καὶ ἀνοικείου μνήμη τοῖς πᾶσι διηνεκής ἐστι καὶ ἄτμητος).

[154] Ibid., 88.66–68: "And something most novel. If the ruler knowingly reflects on his allotted responsibility, he bears the blame but also chases away evil" (καὶ τὸ καινότατον, εἰ ἐν γνώσει τὰ ὑπὲρ τοῦ λάχους ὁ ἄρχων φρονεῖ, φέρει μὲν τὸν ψόγον, τὴν δὲ κακίαν ἀποσοβεῖ).

because of internal pressures. Clearly Laskaris assumed that internecine conflict was the natural state of humankind and that it was the emperor's duty to mend this imperfect situation by establishing justice. This was the second possibility mentioned by Laskaris – the ruler could administer justice impartially and thus incur hatred.[155] Laskaris preferred the second course of action and openly declared that hatred for the ruler ensured the safe existence of the state. "O, good hatred!"– Laskaris exclaimed, and explained that this hatred preserved the integrity of the polity and the "good by nature." For, as he reasoned, the animosity of the subjects did not lessen the glory of the imperial office which successfully carried out its public duties.[156] It is worth remembering here that in his treatise on political friendship Laskaris described the "good by nature" as synonymous with the general welfare, peace, and military security of the state. Hatred was the political price which the emperor had to pay for governing in the name of the public benefit.

The idea that the ruler must incur hatred on account of his good actions is an original conception of Theodore II Laskaris: it marks another step away from the mirrors of princes which stressed the importance of civil concord. In fact, according to the mirrors of princes, it was the tyrant who tended to arouse the hatred of his subjects and to jeopardize in this way the stability of his hold on power.[157] Remarkably, even Machiavelli argued in *The Prince* that the ruler, while governing by fear rather than love,

[155] Ibid., 91.139–46: "Since their desires are at variance, namely those of the ruler and the subjects, there is every necessity either that the wishes of everybody be fulfilled and the ruler be honored, which is preposterous (for if such absurdity occurs *the back teeth* of a multitude of most shameless *whelps* [Joel 1:6] will tear apart the body politic), or that the ruler incur hatred as the steadfast balance of the scales [of justice] is being administered" (ἐπεὶ γοῦν τῶν θελημάτων διϊσταμένων – τοῦ τε ἄρχοντος δηλαδὴ καὶ τοῦ ἀρχομένου –, πᾶσα ἀνάγκη ἢ τὰ τῶν ἁπάντων τελεῖσθαι βουλεύματα καὶ τιμᾶσθαι τὸν ἄρχοντα – ὅπερ ἄτοπον· τοῦ τοιούτου καὶ γὰρ γενομένου ἀτοπήματος, πολλῶν σκύμνων ἀναιδεστάτων μύλαι τὰ μέλη ἀλήσουσι τῆς ἀρχῆς –, ἢ τοῦ τῆς τρυτάνης ἴσου ἀπαρεγκλίτου πολιτευομένου μῖσος φέρειν τὸν ἄρχοντα). The expression ἴσον τῆς τρυτάνης is an echo from Blemmydes' *Imperial Statue*, 84, ch. 130.2. Cf. also Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 49.21–24.

[156] *Opuscula rhetorica*, 91.146–92.153: "The second possibility is preferable, and indeed this kind of hatred is better than the dishonorable and ineffectual honor, so to name it. Oh, good hatred! For as long as the polity is being preserved and the good by nature is at large, the words of faultfinders, or rather of those who do not think bravely, should not harm the most illustrious name of the ruler" (τὸ δεύτερον αἱρετώτερον, καὶ κρεῖττον ὄντως τὸ τοιοῦτον μῖσος τῆς, ἵν' οὕτως εἴπω, ἀτίμου καὶ ἀσυμφόρου τιμῆς· ὢ καλοῦ μίσους· καὶ γὰρ τῆς ἀρχῆς συντηρουμένης καὶ τοῦ φύσει ἀγαθοῦ ἐν ταύτῃ περιπολοῦντος, οὐκ ἂν λόγοι μεμψιμοίρων ἀνδρῶν, ἢ τὸ μᾶλλον τῶν μὴ ἀνδρικῶς φρονούντων, τὸ τοῦ ἄρχοντος λυμήνωσι περικαλλέστατον ὄνομα). The expression τῆς ἀρχῆς συντηρουμένης echoes Blemmydes' *Imperial Statue*, 44, ch. 4.2–3. Cf. also Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 49.24.

[157] Gautier, *Théophylacte d'Achrida*, 203.3–4: "For nothing is so feeble as the man hated by many people, even if he is protected by many guards" (in the context of a discussion on tyranny). Cf. Synesius, *On Kingship*, in *Synesii Cyrenensis hymni et opuscula*, vol. 2, ed. N. Terzaghi (Rome, 1944), ch. 11, 23.16–24.4.

should try by all means to avoid arousing feelings of hatred toward himself. According to Machiavelli, feelings of hatred for the ruler endangered the political stability of the principality. Here the Florentine thinker proved to be aligned with tradition to a greater extent than the Nicaean author.[158] In another way, however, Laskaris came close to the reasoning of Machiavelli. In his *Discourses* Machiavelli elevated social conflict to the pedestal of a political good. It was internal civil strife that enabled ancient Rome to reinvent itself after the overthrow of the monarchy and to create a powerful republic.[159] Although the contexts are different, it is interesting to observe that both Laskaris and Machiavelli reasoned in the same way that social discord could serve the public good of the polity.

A question that naturally arises concerns the goals, both intellectual and practical, which Theodore II Laskaris pursued in reversing centuries-old theoretical principles of rulership. The answer to this question is simple, although perhaps not too flattering for the image of Laskaris as a public figure in Byzantium. Having studied Blemmydes' mirror of princes, Laskaris took the step of rejecting those precepts which he thought were limiting his autocratic freedom of action on behalf of what he saw as the well-being of the empire. Here, as elsewhere, his perspective as a prince and ruler affected his ideas. Laskaris disagreed with the view of the mirrors that the emperor was subject to the law. In his rhetorical exercise *On Fasting*, composed before his accession as a sole ruler, he wrote that the emperor faced no legal constraints on his actions. Laskaris opened the work by declaring that "whatever the emperor decides has the force of law."[160] Here Laskaris' thinking was not original; he simply took a position at one end of the spectrum of views as to the stance of the ruler with regard to the law. His

[158] Machiavelli, *The Prince*, trans. G. Bull (London, 1961), ch. 17, 97: "The prince must nonetheless make himself feared in such a way that, if he is not to be loved, at least he escapes being hated"; ch. 19, 102–14. Cf. A. Gilbert, *Machiavelli's Prince and Its Forerunners* (Durham, 1938), 160–61.

[159] Machiavelli, *The Discourses*, trans. B. Crick (London, 1998), 113: "That Discord between the Plebs and the Senate of Rome Made this Republic both Free and Powerful" (title of chapter 4, book 1).

[160] Theodore II Laskaris, Λόγος περὶ νηστείας, Paris, Bibl. Nat., Cod. gr. 1193, ff. 96 r.–96 v.: "Whatever the emperor comes to decide is the law. For the decision of the emperor has been established as something invaluable before all the subjects. This indeed is an enactment and a command of divine order – to honor kings and to obey rulers . . . For the laws of the emperors organize the business of the army and of the civil administration in the structure of their necessary mode of operation . . . But the commands of the Emperor above teach [us] daily about the pure constitution of the soul, a matter which fully concerns [our] salvation" (ὃ δόξει τῷ βασιλεῖ νόμος ἐστί. καὶ γὰρ τὸ δόξαν τῷ βασιλεῖ τίμιον ἐνώπιον παντὸς τοῦ ὑπὸ χεῖρα λαοῦ καθέστηκε. θείας διαταγῆς ὄντως τοῦτο θέσπισμα καὶ παράγγελμα, τὸ τοὺς βασιλεῖς τιμᾶν, τοῖς ἄρχουσι πειθαρχεῖν . . . (f. 96 v.) καὶ γὰρ οἱ τῶν βασιλέων νόμοι συνιστῶσι τὰ τοῦ στρατοῦ καὶ τὰ τοῦ πολιτεύματος εἰς σύστασιν τῆς τούτων ἀναγκαίας ἀναστροφῆς . . . οἱ δὲ τοῦ ὑψηλοῦ βασιλέως θεσμοὶ τὸ ἀκέραιον πολίτευμα τῆς ψυχῆς καὶ πρὸς σωτηρίαν ὁλοσχερῶς ἀφορῶν καθεκάστην διδάσκουσιν).

statement is a repetition of the famous words of the lawyer Ulpian (second century A.D.) in the *Digest*, "*quod principi placuit legis habet vigorem*." As we have seen, Ulpian's dictum formed part of late Byzantine legal collections alongside the contrary interpretations, namely that the emperor was subject to the law; a similar opinion that the emperor stood above the law was also advertised in court rhetoric.[161] In his rhetorical exercise Laskaris used this *a priori* statement as the basis for an extended comparison between submission owed to imperial law and obedience to divine law in the case of fasting.

Laskaris considered the law itself to be subject to inconstancy and imperfection, like everything else in the world. In the "Pillar of the World or Life" he mused upon the relativity of the law. The premise for his reflections was that inconstancy was a double-sided phenomenon: it existed both in actions and effects, each providing an example to the other. The law fit into this dialectical pattern: "a departure from the law is a correction of the law and the purity of the law is a departure from lawful matters. For not every law is also a true one."[162] The context in which Laskaris made this enigmatic statement does not elucidate its meaning. Laskaris may seem to be referring to the opposition between written law and unwritten custom, yet such legalistic thinking did not shape his world view. To grasp his authoritarian perspective on the subject, we must look briefly at some of his other writings where Laskaris made an interesting juxtaposition of the concepts of the law, justice, and what he called "the truth" (*aletheia*).

Theodore II Laskaris read about truth as an imperial virtue in Blemmydes' *Imperial Statue*. Blemmydes understood "truth" as truthfulness and as a synonym of credibility and reason.[163] However, Laskaris viewed the concept of truth differently. In his panegyric of John III Vatatzes Laskaris described truth as one of the three principal virtues of the ruler; truth was a combination of justice and intelligence, two of the four cardinal virtues

[161] See Introduction, p. 17 and n. 45, chapter 4, pp. 140–41; cf. Chomatenos, ed. Prinzing, no. 106, 352.275–76, where the dictum is articulated in a way similar to that of Laskaris' rhetorical exercise.

[162] Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 24.29–25.3: "Things are inconstant in two ways: some in their actions, others in their effects. Each makes ready an example for the other, and the departure from the law is a correction of the law and the purity of the law is a departure from lawful matters. For not every law is also a true one" (ἔστι δὲ τὰ ἄστατα διπλασίως· τὰ μὲν ἐν ταῖς πράξεσι, τὰ δὲ ἐν ταῖς γενέσεσιν· ὧν ἑκάτερον ἑκατέρῳ ἁρμόζει παράδειγμα. καὶ νόμου ἀποτυχία νόμου διόρθωσις καὶ νόμου ἀκεραιότης νομίμων ἀποτυχία. οὐ γὰρ πᾶς νόμος καὶ ἀληθής). The dichotomy between action and effect seems to derive from Aristotle, *Metaphysics*, 981a, 996b.

[163] Blemmydes, *Imperial Statue*, 78–82, chs. 110–21; cf. 44, ch. 5: students of reason and truth, that is, intellectuals. In the fourth book of the *Explanation of the World*, in the section where Laskaris listed the imperial virtues which he professed not to possess, he wrote that the ruler needs "truthfulness" (τὸ ἀληθές) in order to distinguish between truth and simple opinions (two Platonic concepts). See Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 48.16–17.

according to Menander.[164] Therefore "the true law" in "Pillar of the World or Life" must have meant for Laskaris the just and reasonable law. In his epitaph on Frederick II Hohenstaufen, Laskaris elaborated on the relationship between justice and truth. Truth was a "weapon" at the disposal of the ruler. By mixing truth with what was commonly understood as justice, the ruler removes the unhealthy parts of the body politic.[165] This surgical procedure was a salutary act, yet it made the surgeon unpopular in the eyes of many – the main thesis of the epitaph on Frederick II. "Truth" was therefore a type of justice by which the ruler took care of the common good while inevitably harming the interests of some of his subjects and making himself hated.

Laskaris' polemical letter to Blemmydes – which we shall discuss in greater detail in chapter 9 – provides further clues about his understanding of truth as an imperial virtue. The letter describes how Blemmydes called on his former student to refrain from imposing new taxes needed for financing the army. What is of interest to us here is that Blemmydes had urged Laskaris to "follow the truth" and to act in accordance with the principles of philanthropy and justice.[166] Laskaris responded to the demands of his former teacher by pointing to the example of his father, John III Vatatzes. He alleged that Vatatzes had used his strong army to win spectacular victories, and his accomplishments showed how truthful his policies had been.[167] Truth meant for Laskaris following the sound policies established by his father. In a sense, Laskaris understood truth as a license to act according to his judgment for the benefit of the empire. The Platonic thinking of Theodore II Laskaris is evident here. Truth is a concept conspicuously present in Plato's philosophical vocabulary. Especially close are the similarities between Laskaris' ideas and Plato's in his dialogue the *Statesman*. In the *Statesman* Plato presented his vision of a skillful and expert monarch who was free to break the law for the benefit of the political community. This parallel is further accentuated by the fact that Plato likened the craft

[164] Theodore II, *Encomio*, 64.461–467.

[165] *Opuscula rhetorica*, 89.83–86: "And truth is a weapon for close combat, which honorably takes pride of place at the ruler's tongue. The mind of the ruler, mixing truth with the righteous judgment of the many, cuts off the immoderate affliction" (καὶ μὴν ἀγχέμαχον βέλος ἐστὶν ἡ ἀλήθεια, ἣν καὶ ἀρχικῆς γλώττης προκαθεῖσθαι τίμιον· ταύτην γοῦν ὁ τοῦ ἡγεμόνος νοῦς μίξας δίκῃ τῇ τῶν πολλῶν, σχέσιν ἐκτέμνει τὴν ἀκρατῆ). The same idea is found also in Laskaris' encomium on John III Vatatzes, where he wrote that the emperor cut off the evil men from the polity with the "scraper of truth." See Theodore II, *Encomio*, 55.232–234. Cf. chapter 4, n. 32.

[166] *Theodori Ducae Lascaris Epistulae*, no. 44, 58.19–57.22.

[167] Ibid., 57.30–31: "For his deeds [of Laskaris' father] reveal his purpose and his truthful knowledge and his patriotic reasoning" (Τὰ γὰρ ἔργα τούτου τὸν σκόπον δηλοῦσιν αὐτοῦ καὶ τὴν ἀληθῆ γνῶσιν καὶ λόγον τὸν φιλοπάτριδα).

of the king to that of a doctor. The king took care of his subjects just as the doctor did of his patients, that is, both the doctor and the ruler put to use their superior expertise for the benefit of others, even though at times this expertise went against the written law.[168]

The culmination of the divergence of Laskaris' ideas from those of Blemmydes and the mirrors of princes is his tendency to use the concept of tyranny with positive connotations. But what did Laskaris mean by tyranny? This question is nonsensical if one is dealing with a medieval Western author or, for that matter, with a modern one. Yet in classical and medieval Greek the concept of tyranny had a range of meanings, and therefore some preliminary comments become necessary. The words for "tyrant" (*tyrannos*) and "tyranny" (*tyrannis*) had two contrary semantic connotations: first, *tyrannis* could mean illegitimately constituted kingship, and second, it could simply mean any kind of kingship, including the legitimate one. The negative view on tyranny was far more common among Byzantine authors than the neutral one. It had classical origins: for Plato and Aristotle as well as for most medieval Greek authors tyranny was the antithesis to legitimate kingship, just as oligarchy was the corrupted form of aristocracy and mob rule the corrupted form of democracy.[169] Accordingly, Byzantine law and Byzantine historians described as "tyrants" rebels against the legitimate emperor who laid claim to the throne. Foreign rulers whom the Byzantines disliked were also said to be "tyrants."[170] Tyranny thus was used as a slur and a term of offense applied to political enemies. In addition, the policies of a reigning Byzantine emperor could be considered tyrannical: they divested the emperor of his legitimacy and justified rebellion. "Tyranny dwells near kingship, even next door to it, as foolhardiness near to courage, as license to liberty," wrote Synesius eloquently in the early fifth century.[171] In the early fourteenth century Theodore Metochites described

[168] Plato, *Statesman*, 295b–297b. Cf. M. S. Lane, *Method and Politics in Plato's "Statesman"* (Cambridge, 1998), 146–55; E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies*, 1 (1928), 61–64.

[169] See the theory of the three legitimate and the three corrupted polities in a prolegomenon to the rhetorical corpus of Hermogenes, *Prolegomenon Sylloge*, ed. H. Rabe (Leipzig, 1931; repr. 1995), 40–41. Blemmydes, *Imperial Statue*, 62, ch. 60, clearly contrasts kingship with tyranny. Cf. Plato, *Statesman*, 291c ff.; Aristotle, *Politics*, 1279b; *Nicomachean Ethics*, 1160b.

[170] On the legal meaning of tyranny as attempt at usurpation, see Harmenopoulos, *Hexabiblos*, 6,14,2, ed. Pitsakes, 362 (scholion). On the view of tyranny as illegitimate usurpation during the middle Byzantine period, see Bourdara, *Καθοσίωσις καὶ τυραννίς*, 137–41; J.-C. Cheynet, *Pouvoir et contestations à Byzance (963–1210)* (Paris, 1990), 177–78. In his panegyric of Andronikos II, Nikephoros Choumnos called Charles of Anjou "the tyrant of the Italians." See AG, vol. 2, 27.

[171] Synesius, *On Kingship*, in *Synesii Cyrenensis hymni et opuscula*, ed. N. Terzaghi, vol. 2, ch. 6, 14.16–15.1, translated by A. FitzGerald in *The Essays and Hymns of Synesius of Cyrene*, vol. 1 (Oxford, 1930), 114.

the tyrant as someone who confiscated properties, used violence, lacked a sense of self-control, and in general made arbitrary decisions contrary to the law.[172]

The negative connotations of tyranny existed side by side with the other, more ancient meaning of the word, predating the time of Plato and Aristotle: the tyrant was simply any monarch and tyranny was synonymous with kingship.[173] This broader, neutral meaning of "tyranny" was never fully forgotten in Byzantium and existed alongside the negative one. Although a systematic investigation of the usage of the concept among Byzantine authors is not warranted here, an example relevant to our discussion of Laskaris' ideas is worth quoting. The Proverbs of Solomon (8:15–16) use the word *tyrannos* with the general meaning of any king: "by me grandees become great and by me rulers (*tyrannoi*) rule over the land." In the fourth century Saint Jerome rendered this passage in Latin from the Hebrew by using the neutral word *potentes* for kings at the place where the Greek Septuagint has the ambiguous *tyrannoi*.[174] As will be shown below, Laskaris understood this passage differently and saw here a reference to tyranny in the sense of oppression. The word "tyrant" as meaning any king or emperor entered court rhetoric in Byzantium, where it usually appeared in the context of proverbial expressions. Imperial panegyrics during the eleventh and twelfth centuries often used a proverbial saying ultimately derived from a lost tragedy of Euripides, "a man worthy of kingship" (*tyrannis*), to praise the emperor before or after his accession.[175] In the thirteenth century George Akropolites applied this characterization to Michael VIII, the historian's patron and the hero of his chronicle.[176] There can scarcely be any doubt that the meaning which Akropolites assigned to

[172] Metochites, *Miscellanea*, ch. 98, 637–39. On tyrannical disrespect of the law, see the *vita*-encomium of John III Vatatzes by George of Pelagonia, A. Heisenberg, BZ, 14 (1905), 195.22–25.

[173] See, for example, the usage of the word by Euripides, *Medea*, 140, or Isocrates, *Ad Nicoclem* (or. 2), 4. On the classical Greek usages of the concept of tyranny and the social reality behind it, see H. Berve, *Die Tyrannis bei den Griechen* (Munich, 1967).

[174] Proverbs 8:15–16: "By me [wisdom] kings reign and princes decree justice. By me grandees become great and rulers rule over the land" (δι' ἐμοῦ βασιλεῖς βασιλεύουσιν, καὶ οἱ δυνάσται γράφουσιν δικαιοσύνην· δι' ἐμοῦ μεγιστᾶνες μεγαλύνονται, καὶ τύραννοι δι' ἐμοῦ κρατοῦσι γῆς). Saint Jerome's Latin translation from the Hebrew (with differences in content as well): *per me reges regnant et legum conditores iusta decernunt, per me principes imperant et potentes decernunt iustitiam.*

[175] ἀνὴρ τυραννίδος ἄξιος: *Michaelis Pselli orationes panegyricae*, ed. G. T. Dennis (Leipzig and Stuttgart, 1994), 26.197–98, 176.21–22; *Michel Italikos. Lettres et discours*, ed. P. Gautier (Paris, 1972), 289.3–4. See *Tragicorum graecorum fragmenta*, ed. A. Nauck (Leipzig, 1889), 367, no. 15, with references to other Byzantine authors who made use of the quotation. J.-C. Cheynet, *Pouvoir et contestations*, 177–78, has already noticed few cases of positive use of the word "tyrant."

[176] Akropolites I, 136.37–137.1. Cf. G. Prinzing, "Ein Mann τυραννίδος ἄξιος. Zur Darstellung der rebellischen Vergangenheit Michaels VIII. Palaiologos," in I. Vassis, G. Heinrich, and D. Reinsch (eds.), *Lesarten: Festschrift für Athanasios Kambylis zum 70. Geburtstag dargebracht von Schülern, Kollegen und Freunden* (Berlin and New York, 1998), 180–97, esp. 191–97.

the word *tyrannis* was positive and that he was alluding to the imminent elevation of Palaiologos to the imperial throne. Another quotation from a lost Greek tragedy, this time a Sophoclean one – "wise become kings [*tyrannoi*] in the company of wise men" – figures in Thomas Magistros' treatise *On Kingship* and Nikephoros Gregoras' panegyric of the Latin king of Cyprus, Hugh IV of Lusignan (1324–59).[177] Here, again, the tyrant was any ruler, in the preclassical sense of the word.

The double meaning of and inherent ambiguity in the word "tyranny" did not elude the attention of some Byzantine authors. In late antiquity the court orator Themistius had criticized the use of Sophocles' line, "wise become kings in the company of wise men." In a speech addressed to the emperors Valens (364–78) and Valentinian (364–75), Themistius wrote that tyrants were different from legitimate emperors and were never capable of acquiring a modicum of wisdom.[178] In his encomium on the emperor Andronikos II, Nicholas Lampenos cited the Sophoclean saying without referring to its author, although, interestingly, he replaced the noun *tyrannoi* with the usual word for emperors (*basileis*) and thus avoided ambiguity.[179] In the period of interest to us, the historian George Pachymeres made use of the ambiguity inherent in the meaning of the word *tyrannis* in order to engage in literary subversion. Describing the usurpation by Michael VIII, Pachymeres unabashedly dubbed him a tyrant in the sense of the word meaning an illegitimate ruler.[180] In addition, the historian reported that at the time of Michael VIII's usurpation, contemporaries were trying to justify his elevation to the throne by repeating a saying from a play by Euripides, "if one must commit an injustice, the best injustice is the one for the sake of kingship (*tyrannis*)." There is no doubt that the historian, a harsh critic of Michael VIII, played on the double meaning of the word "tyranny" – as kingship and as a violent seizure of the throne.[181]

For Theodore II Laskaris the meaning of the words "tyranny" and "tyrant" was not ambiguous – they referred to a rule marked by oppression and transgression of the laws. Yet Laskaris considered the "tyrannical" conduct of the ruler acceptable and legitimate. An early example of his positive

[177] σοφοὶ τύραννοι σοφῶν συνουσίᾳ: Magistros, *On Kingship*, ch. 28, 79.1250–51; Gregoras III, 29. See *Tragicorum graecorum fragmenta*, vol. 4, ed. S. Radt (Göttingen, 1977), 120–21, no. 14. Plato, *Republic*, 56a, ascribed the saying to Euripides, not Sophocles.

[178] Themistius, Or. 6, 72c–73a, attributed the saying to "Euripides or someone else." This oration, entitled "Philanthropy, or Brotherly Love," was composed in 364. Cf. J. Vanderspoel, *Themistius and the Imperial Court* (Ann Arbor, 1995), 158–61.

[179] Lampenos, *Encomium*, 58.10–11. [180] Pachymeres I.i, 259.12–13.

[181] Ibid., 133.24–25: "If one should commit injustice, it is best to act unjustly for the sake of tyranny" (εἴπερ ἀδικεῖν δέοι, ὑπὲρ τυραννίδος κάλλιστα ἀδικεῖν). The reference is to Euripides, *Phoenecian Women*, 524–25. Failler has called attention to the fact that in antiquity Cicero (*De Officiis*, III, 82) had put the same quote from Euripides in the mouth of his political enemy, Caesar.

view of tyranny can be found in Laskaris' rhetorical exercise *On Wisdom*, written before his accession to the throne. This rhetorical work is a rather conventional encomium on the virtue of wisdom. Laskaris used as his source the Wisdom of Solomon, which urges kings (variously called *tyrannoi* or *basileis*) to act wisely.[182] However Laskaris introduced a slight, though significant, modification of the above-mentioned phrase in Proverbs, namely, "rulers (*tyrannoi*) rule the earth" by their wisdom. Laskaris substituted the word "oppress" for "rule," thus altering the sense of the biblical phrase to "tyrants (*tyrannoi*) oppress the earth" by their wisdom.[183] The minor and seemingly insignificant substitution indicates Laskaris' understanding of what a tyrant was (that is, a ruler who used violence) and also points to a positive assessment of the tyrant's actions. In the "Pillar of the World or Life", written during his reign, Laskaris made a more radical pronouncement regarding the legitimacy of tyranny. The context of this comment was his description of the relationship between God and nature as one similar to that between the soul and the body. Like the soul in the human body, God provided cohesion to all disparate components of nature and ruled over the various manifestations of inconstancy in life. Then, rather unexpectedly, Laskaris added that the emperor ruled through God and the emperor's *mesazon* "tyrannizes the officials" also through God – manifestations of what Laskaris considered to be order and disorder in social affairs.[184] This statement seems to be a reference to the persecution of the aristocracy in which the emperor's chief minister, the *mesazon* George Mouzalon, was involved. One should recall that at an earlier point in the treatise

[182] Wisdom of Solomon 6:9 and 6:21 address the kings as *tyrannoi*. In these places the Vulgate Bible has simply *reges*, which is an unambiguous word for kings.

[183] Ἐγκώμιον εἰς τὴν σοφίαν, Paris, Bibl. Nat., Cod. gr. 1193, f. 86 r.: "For through it [wisdom] also do emperors reign and tyrants oppress the earth; and everyone rich in reason is grounded in it" (διὰ αὐτῆς [σοφίας] καὶ γὰρ βασιλεῖς βασιλεύουσι καὶ τύραννοι καταδυναστεύουσι γῆς· καὶ πᾶς λόγον πλουτῶν ἐν αὐτῇ ἑδράζεται). Compare this to Proverbs 8:16, "by me . . . rulers [*tyrannoi*] rule [*kratousi*] over the land." Cf. above n. 174. The verb καταδυναστεύω and the noun καταδυναστεία mean, respectively, "to oppress" and "oppression." Cf. H. G. Liddell, R. Scott, and H. S. Jones, *A Greek–English Lexicon*, 9th rev. edn. (Oxford, 1940). The words are commonly used in the Bible (Exodus 6:7, 21:17; Wisdom of Solomon 17:2; Jacob 2:6; Acts of the Apostles 10:38) and among patristic authors. The word δυναστεία also means oppression in Byzantine legal terminology. See H. Saradi, "On the 'Archontike' and 'Ekklesiastike Dynasteia' and 'Prostasia' in Byzantium with Particular Attention to the Legal Sources: A Study in Social History of Byzantium," B, 64 (1994), 69–117, 314–51.

[184] Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12 (1899), 37.1–2: "Through Him does the emperor rule. Through Him does the *mesazon* tyrannize the officials" (ὁ βασιλεύων δι' αὐτοῦ βασιλεύει· ὁ δυναστεύων δι' αὐτοῦ τυραννεῖ τοὺς ἐν τέλει). This passage has been analyzed by Andreeva, "Polemika," 10, who has suggested, correctly in my view, that ὁ δυναστεύων should be construed as a reference to the παραδυναστεύων, that is, to the *mesazon*. On the terms used with reference to the *mesazon*, see H.-G. Beck, "Der byzantinische 'Ministerpräsident'," BZ, 48 (1955), 309–38.

Laskaris had referred to his failure to impose proper order among some of his unjust officials. In a sense, Laskaris was now giving his minion Mouzalon a license to oppress those functionaries, whose wrongs he himself had been unable to rectify. Laskaris thus considered the violence which accompanied his anti-aristocratic policies to be a legitimate and God-given political method.

How did Laskaris arrive at this positive view of tyranny and legitimate oppression? There can be no doubt that Laskaris was looking for an ideological justification of his harsh policies against political opponents. It is possible also that he was seeking to respond to accusations of heavy-handedness already levied against him. One can understand the evolution of Laskaris' thought by looking at the examples of tyranny with which he was familiar and by examining his usage of the concept of tyranny in his private correspondence. Blemmydes' *Imperial Statue* contains an example of an ancient tyrant portrayed in a good light. Laskaris' tutor used the figure of Hiero, tyrant of ancient Syracuse in Sicily, to illustrate the inconstancy of fortune. According to Blemmydes, after his violent seizure of power Hiero had come to be loved by his subjects.[185] Laskaris did not follow this line of thought, for he mused on the necessity of rule by hatred, and went further than admitting the possibility of the transformation of a tyrant into a good man. Rather, he considered tyrannical actions as being divinely sanctioned in themselves. In one of his private letters Laskaris, too, mentioned an ancient tyrant. Addressing Akropolites before his accession as sole ruler Laskaris described his conflict with Theodore Philes, the former and future governor of the city of Thessaloniki. Philes was to become one of the victims of Laskaris' anti-aristocratic policies (he was punished with blinding) and eventually became a supporter of Michael VIII Palaiologos. The letter to Akropolites refers to a personal squabble before these events took place. In the letter Laskaris accused Philes of having murdered his friend, a certain Tribides, while Philes accused Laskaris of illicit love affairs.[186] Laskaris vowed that he would take revenge on Philes, and when describing his anger and his desire for retaliation he compared himself to Phalaris, the ancient tyrant of Agrigentum in Sicily notorious for his cruelty.[187] The

[185] Blemmydes, *Imperial Statue*, 60, ch. 57. This comment seems to derive from Xenophon's *Hiero*.

[186] *Theodori Ducae Lascaris Epistulae*, no. 78, 105–106. On Theodore Philes, governor of Thessaloniki, see Akropolites I, 84.15–16, 155.2–3. J. Papadopoulos, *Théodore II Lascaris*, 38–39 and n. 2, connected the dispute between Philes and Laskaris with the episode of the "black-eyed girls," which Theodore II Laskaris mentions in a letter to his friend Hagiotheodorites. Cf. *Theodori Ducae Lascaris Epistulae*, no. 216, 268–70. But there is no apparent connection between the two events.

[187] *Theodori Ducae Lascaris Epistulae*, no. 78, 105.23–26: "Nonsense are all the words of Philes, my hater. I will take revenge on him as Phalaris on Lykinos. Against him I will imitate only that beastly

ancient tyrant thus was a positive model for his own conduct. Elsewhere in his correspondence Laskaris used the words "tyranny" and "tyrannize" metaphorically to refer to his own feelings.[188] This word choice points to a pattern of thought and indicates an interest in the concept of tyranny. Whatever the intellectual path Laskaris took to arrive at his views, his admiration for tyrannical conduct represents his most radical reversal of a Byzantine and medieval social value.

Theodore II Laskaris opens a new chapter in the history of Byzantine political thought. In 1930 Margarita Andreeva wrote that the philosophical ideas he presented in the treatise "Pillar of the World or Life" were a "significant step forward, the beginning of an evolution of thought, a turn toward experience and nature."[189] According to Andreeva, the philosophical thinking of Laskaris was marked by a refreshing pre-humanistic spirit and held great promise which was cut short by his death. One must agree with Andreeva that the early death of Laskaris deprives us of the further chapters of a book on kingship and philosophy that was still in the making. The correspondence between his political ideas and his social reforms is indeed refreshing, although we must note that a healthy sense of realism was not a monopoly of Laskaris and that it was a general feature of other late Byzantine political authors.

Where, then, lies the originality of Theodore II Laskaris as a political philosopher? In the first place Laskaris produced a truly extraordinary synthesis of ideas. He drew on Aristotle's *Nicomachean Ethics* and on Christian thought in order to articulate his ideological position against the aristocracy. He approached his sources with an open mind and interpreted them in accordance with his agenda – for example, when revising Aristotle's idea of the natural nexus between friendship and kinship. Second, Laskaris took an innovative step by turning to classical philosophy as a basis for engaging in a characteristically Byzantine political discussion. This was a noteworthy development. The sixth-century dialogue *On Political Science*, heavily influenced by Plato's dialogues and Neoplatonic ideas, is the closest prior

conduct" (λῆρα τὰ τοῦ Φιλῆ πάντα καὶ ἐμοῦ μισητοῦ· ὢ καὶ ἀνταποδώσομαι ὡς Λυκίνῳ ὁ Φάλαρις· ὁμοιωθήσομαι δὲ κατ᾽ αὐτοῦ μόνον ἐκεῖνο τὸ θηριῶδες). See the spurious letter by Phalaris, *Epistolographi Graeci*, ed. R. Hercher (Paris, 1873; repr. Amsterdam, 1965), 409–10, which refers to Phalaris' revenge on Lykinos. In the "Pillar of the World or Life," however, Laskaris describes Phalaris as a wretched man. See Festa, "Κοσμικὴ Δήλωσις," GdSAI, 12, 33.21–24.

188 *Theodori Ducae Lascaris Epistulae*, no. 2 (to Blemmydes), 3.1–2, 6.80–81: tyrannized by pleasure; no. 151 (to Mouzalon), 215.1–2: tyrannized by love; no. 175 (to Mouzalon), 227: sickness tyrannizes over Mouzalon, who cannot see Theodore; no. 220 (to Mouzalon), 262.

189 Andreeva, "Polemika," 34.

example of the direct impact of classical political philosophy on a Byzantine political treatise.[190] No similar synthesis is found in a political treatise dating to the middle Byzantine period. In the twelfth century Michael of Ephesos, a commentator on Aristotle, digressed from his scholia on the *Politics* in order to criticize the authoritarian rule of the Komnenian emperors; however, his critical comments are brief and fall short of any coherent theory.[191] By contrast, Theodore II Laskaris approached Aristotle as the starting point for discussing Byzantine politics and constructed a comprehensive theory of political friendship. The influence of Plato on Laskaris' political ideas is also far from negligible. His adoption of the posture of an ignorant man, which was modeled on the *Apology*, as well as cases of verbal borrowing and parallelism of thought show beyond doubt Plato's influence.

The third and most significant innovation of Theodore II Laskaris was his break with the typically medieval identification of political with moral virtues. This break was radical and Machiavellian, going far beyond the simple admission that the ruler could act unscrupulously. Laskaris abandoned a number of ideological values cherished by the Byzantines. He presented a vision of an emperor standing above the law who could use violence and act tyrannically in the name of the prosperity of the polity. He moved away from the idea that the imperial office was a public institution with public responsibilities. Instead, he preferred to see the empire as a pyramid of personal relationships topped by the emperor, who ruled by divine right. The emperor cultivated the loyalty of individuals by granting economic benefactions and by making the resources of the court available to the upper classes. Laskaris also reevaluated a central ideological value for the Byzantines, that of proper order and stability. Instead, social conflict became for the Nicaean emperor a permanent and constructive component in the operation of the Byzantine monarchy. In this Laskaris anticipated Machiavelli, who also saw inner civil strife as a force of social renewal and progress.

The similarities between Laskaris and Machiavelli should not be exaggerated. In several important ways the Nicaean author stood worlds apart from the Florentine thinker. He freely mixed political with natural philosophical ideas, a circumstance which reflects a holistic and organic conception of the world and of human society. This itself often prevented the self-contained discussion of the field of politics in which Machiavelli would

190 See D. O'Meara, "The Justinianic Dialogue *On Political Science* and Its Neoplatonic Sources," in K. Ieradiokonou (ed.), *Byzantine Philosophy and Its Ancient Sources* (Oxford, 2002), 49–62.

191 *Aristotelis Politica*, ed. O. Immisch (Leipzig, 1909), 295–329. The passages critical of the Komnenoi have been translated by E. Barker, *Social and Political Thought in Byzantium* (Oxford, 1957), 136–41.

engage. Nor did Laskaris abandon the time-honored dogma of the divine right of emperors, which for him was an unquestionable postulate. In contrast to Machiavelli, Laskaris was not a fully secular thinker and was deeply affected by his faith and by Christian ideas. The ending of the fourth book of the *Explanation of the World* reveals the author less as an unscrupulous ruler than as a Christian concerned with his salvation. Although Theodore II Laskaris was a harbinger of Renaissance political discussions and sensibilities, he still belonged firmly to the mental world of the Middle Ages.

CHAPTER 8

The critics of the Palaiologoi: fiscal responsibility and elective kingship

Scholars have long noticed that criticism of the emperor (*Kaiserkritik*) by Byzantine historians provides illuminating insights into Byzantine political attitudes and thought. In his systematic study of criticism of the emperor in histories and chronicles of the period from the sixth to the twelfth centuries, Franz Tinnefeld has unveiled a wide spectrum of opinion and an overarching pattern. Byzantine historians tended to criticize the emperor's personality or specific policies through the prism of traditional moralistic ideas and ideological constructs. The categories of *Kaiserkritik* thus tended to match those of the *Kaiseridee* (the imperial idea).[1] The twelfth century marked a break in this pattern and a significant change in the analytical categories employed in the critiques.[2] Two historians, John Zonaras and Niketas Choniates, attacked the heart of the imperial absolutist system on the basis of an alternative model of governance, which looked back to Roman republican times. Zonaras and Choniates held deeply negative views of the political and fiscal reforms which the contemporary Komnenian emperors introduced. They accused them of having abolished a long-standing Byzantine tradition of public administration in order to impose an arbitrary mode of governance based on family privilege. They denounced the Komnenian aristocratic clan for siphoning off public wealth for their individual benefit. As a basis of their critique, they revived old Roman constitutionalist ideas of

[1] F. Tinnefeld, *Kategorien der Kaiserkritik in der byzantinischen Historiographie von Prokop bis Niketas Choniates* (Munich, 1971), 192–93. For the early Byzantine period see A. Cameron, "Early Byzantine *Kaiserkritik*: Two Case Histories," BMGS, 3 (1977), 1–17; Cameron, *Procopius and the Sixth Century* (Berkeley, 1985), 65–66, 242–60. According to Averil Cameron, Procopius used traditional categories of the imperial idea in his criticism of Justinian.

[2] Tinnefeld, *Kategorien der Kaiserkritik*, 160–63, 190. In 1978 Hans-Georg Beck discussed briefly Zonaras' critique as source for the persistence of republican thinking in Byzantium. See H.-G. Beck, *Das byzantinische Jahrtausend* (Munich, 1978), 42. In 1983 Paul Magdalino produced an in-depth analysis of this line of twelfth-century critique, setting it in a historical and intellectual context. See P. Magdalino, "Aspects of Twelfth-Century Byzantine *Kaiserkritik*," *Speculum*, 58 (1983), 326–46, repr. in Magdalino, *Tradition and Transformation in Medieval Byzantium* (London, 1991), study VIII.

senatorial power and the public accountability of the emperor, who himself occupied a public office.[3]

Much remains unclear about these twelfth-century changes, especially with respect to their impact and carryover into the later Byzantine period. Was the new criticism based on notions of public power, a development unique to the Komnenian era, or did it persist beyond 1204? And if it did, how precisely did it affect the ways in which late Byzantine critics understood the responsibilities of the office of the emperor? Naturally, authors of historical works were not the only critics of imperial policy in late Byzantium. Authors of mirrors of princes and court orators also attacked problems of imperial administration. If historians had an advantage over these other authors, it lay in the greater freedom that history writing gave them to comment on contemporary problems without having to deal with literary or rhetorical convention. As continuators of twelfth-century trends in *Kaiserkritik*, the historians after 1204 faced the double-sided reality of imperial absolutism coupled with the flickering survival of Roman ideological and legalistic notions of public power. Imperial government as practiced in the thirteenth and fourteenth centuries retained the hallmarks of the Komnenian reform: the widespread use of individual fiscal privilege (tax exemptions and grants of *pronoiai*) and the dominant role of the emperor's relatives in the hierarchy of court dignitaries. For nearly two centuries the Palaiologan family ruled the empire as their own patrimony, dividing its territory among members of the clan and occasionally fighting over their shares. As we have seen, in official documents the emperor claimed a supreme right to grant and confirm private possessions in the entire taxable territory of the empire.[4] Nonetheless, old Roman notions of public power remained embedded in political vocabulary and the language of government. As we have also seen, authors of mirrors of princes insisted that the emperor occupied an office and governed for public benefit. Nikephoros Blemmydes, for example, availed himself of Roman conceptions of public wealth in discussing imperial taxation.[5] For the late Byzantine historians, imperial administration was also the sphere of "social affairs" or "public

[3] *Ioannis Zonarae epitomae historiarum libri XIII–XVIII*, vol. 3, ed. Th. Büttner-Wobst, CSHB (Bonn, 1897), 766–67. *Nicetae Choniatae Historia*, ed. J.-L.van Dieten (Berlin and New York, 1975), 143, 209. See also Zonaras' commentary on canon 28 of the Fourth Ecumenical Council in Chalcedon (Rhalles-Potles, vol. 2, 282). Zonaras made a pun on the Byzantine word for senate (σύγκλητος), noting that the senate has been "closed down" (συγκέκλεισται) and the empire has been turned into a tyranny.

[4] See chapter 4, pp. 147–49.

[5] Blemmydes, *Imperial Statue*, 44, ch. 2, reasoned that the emperor held nothing in private because he was not a private individual, but administered public wealth (τὰ κοινά) for the benefit of the community (τὸ κοινόν). Cf. chapter 9, p. 294.

matters."[6] The fisc into which tax revenues were deposited bore two interchangeable designations: "the imperial treasury" (*basilikon bestiarion*) and "the public fisc" (*demosion*).[7] The designation "public land" is often found in official documents and doubtless stems from old Roman legal notions.[8]

Even among lawyers, however, there was a certain confusion as to the distinction between public and imperial property. Two anonymous scholia to the legal compilation of Constantine Harmenopoulos (completed in 1345) demonstrate the confusion. The two anonymous scholiasts commented on a law which prescribed that the embezzler of public property, that is, property belonging to the fisc, should restore to the fisc a double reparation.[9] One of the scholia simply explained that the words "public fisc" and "imperial treasury" were synonyms.[10] The other scholium, however, made a historical excursus explaining that it was a common practice among the ancient Roman emperors to make the Roman people the owner of all newly conquered lands. These lands became public property (the Roman *ager publicus*), from which term, according to the scholion, stemmed the designation "public fisc" used in the Palaiologan period. Thus historical memories and administrative terminology carried into the late Byzantine period a lingering awareness of Roman concepts of public property and of power as a public exercise.

Two late Byzantine historians-critics fleshed out the meaning of the emperor's public office in relation to the concrete circumstances of the early Palaiologan period. Before we turn to their critique, it will be helpful to place it within the context of contemporary historical writing. Five authors have left us detailed accounts of Byzantine history during the thirteenth century and the first half of the fourteenth century: George Akropolites (1217–82); the anonymous author of *Synopsis Chronike* who has been identified with Theodore Skoutariotes, *dikaiophylax* and later metropolitan of Kyzikos under the emperor Michael VIII;[11] George Pachymeres (1242– after

[6] See the use of the expression τὰ κοινὰ πράγματα (or simply τὰ κοινά) in Akropolites I, 96.23, 156.23; Pachymeres I.i, 273.15, 283.19–20; I.ii, 331.10, 399.17; Gregoras I, 63.20, 64.14, 70.21, 492.12–13; II, 579.9; Kantakouzenos I, 154.11, 211.6, 248.12; II, 124.7. For the expression δημόσια πράγματα, see Gregoras I, 362.13–14; II, 605.4, 679.13, 700.6, 702.4; III, 173.2; Kantakouzenos III, 183.23.

[7] See further nn. 10 and 46. In addition to the historians, official documents also commonly use the two terms interchangeably.

[8] See, for example, the chrysobull issued in 1347 by John VI Kantakouzenos on behalf of Demetrios Kabasilas, his political supporter during the Second Civil War (1341–47): *Dionysiou*, no. 2.36–38 (Dölger, *Regesten*, 2933). Some of the lands which the emperor granted to Kabasilas with a full right of ownership were said to have been "public lands" (ὄντων μὲν πρότερον δημοσιακῶν) in the past.

[9] *Hexabiblos*, 1,2,38, ed. Pitsakes, 24–25.

[10] Ibid.: δημόσιον λέγεται τὸ κοινὸν ἢ βασιλικόν.

[11] A. Heisenberg, *Analecta: Mitteilungen aus italienischen Handschriften byzantinischer Chronographen* (Munich, 1901), 7–18, attributed the chronicle to Theodore Skoutariotes. This identification has been

1307); Nikephoros Gregoras (1290/94–1358/61); and the emperor John VI Kantakouzenos (ca. 1295–1383, r. 1341–54). All these historians composed their works during the early Palaiologan era, approximately between 1261 and 1369 – a golden age for historiography as it was for secular literary culture in general.[12] For anyone who expects to find in these histories a fulfillment of the high intellectual promise of the twelfth century, the first impression is disappointing. Table 4 presents a summary of the critical opinion. Most of these historians lacked the elaborate conceptual apparatus and detached perspectives of their twelfth-century predecessors. Their criticism retained the traditional focus on the emperor's personal foibles and immoral actions, such as excessive anger, womanizing, or immoderate ambition. Strongly influenced by classical models of historiography, two of the historians – Nikephoros Gregoras and John VI Kantakouzenos – turned Fortune (*tyche*) into a blind force governing human affairs. They often explained disastrous events of the Palaiologan era, such as the Turkish conquests and the civil wars, as the work of fate. Thus they avoided addressing the thorny question of individual responsibility and imposed on the past an irrational explanatory framework. For example, Gregoras called Fortune a "tyrant" which controlled human affairs.[13] Having learned astronomy from his teacher and patron Theodore Metochites, Gregoras believed that Fortune manifested itself in celestial phenomena, such as eclipses of the sun and the moon. Thus he noted that the solar eclipse on 25 May 1267 presaged the fall of Asia Minor to the Turks.[14] Commenting on the disastrous events of the Second Civil War (1341–47) the historian declared that he would blame the inscrutable ways of fate, but not the emperor Kantakouzenos or the empress Anna of Savoy.[15] According to Gregoras, humans made conscious choices and acted on the basis of moral convictions; it was

challenged by A. Kazhdan, "Extseprty Skilitsy," *Academie Bulgare des Sciences, Bulletin de l'Institut d'Histoire* 14/15 (1964), 529–30.

[12] The earliest history, that by Akropolites, was written sometime between 1261 (the last event mentioned in the surviving part of the work) and 1282 (the death of the author). The latest, that of Kantakouzenos, was completed on 8 December 1369. See D. Nicol, *The Byzantine Family of Kantakouzenos (Cantacuzenus) ca. 1100–1460* (Washington, 1986), 100. After 1369 there are no surviving histories written until after 1453.

[13] Gregoras III, 96. Cf. Gregoras I, 90–91, 303.8–11. Kantakouzenos' usage of the figure of Fortune in his historical memoirs has been studied in detail by A. Kazhdan, "L'*Histoire* de Cantacuzène en tant qu'oeuvre littéraire," B, 50 (1980), 279–335. On Gregoras, see E. Moutsopoulos, "La notion de 'kairicité' historique chez Nicéphore Grégoras," *Byzantina*, 4 (1972), 207–13.

[14] Gregoras I, 108–09, 384–86.

[15] Gregoras II, 753–54. Nevertheless he criticized Anna of Savoy for not opposing Turkish raids on the Balkans, described her as a spiteful woman and accused her of lending support to his enemy Gregory Palamas. See ibid., 702, 747, 761–62, 778, 789, 887. His critique of Kantakouzenos begins in his account of events after the end of the Second Civil War in 1347. See table 4.

the task of a historian such as himself to pass a judgment on these convictions. Yet often Fortune determined outcomes, and in this case historians were not justified in praising or criticizing individuals.[16] An example of this way of looking at the past is Gregoras' presentation of the military policies of Andronikos II. The historian refrained from making use of Pachymeres' criticism of Andronikos II for hiring during the period 1302–04 contingents of Alans and Catalans, who ravaged the territory of the empire instead of fighting the Turks. Gregoras instead praised the emperor for having invited the foreign mercenaries and mused upon the ways that Fortune foiled the emperor's excellent plans for the defense of Asia Minor.[17]

Parochial concerns and personal loyalties also colored the historians' criticism of the emperor. Involvement in high politics and dynastic conflicts led to biased, one-sided portrayals of individual emperors. George Akropolites was Michael VIII's grand logothete when he was writing his chronicle of the Nicaean empire. He found fault with all Nicaean emperors and was thus in a position to introduce the first Palaiologos, who overthrew the Laskarid dynasty, as the hero of his chronicle. A more honest judge of contemporary emperors than Akropolites was Theodore Skoutariotes, the probable author of *Synopsis Chronike*, who was a unionist during the reign of Michael VIII. In his world chronicle he paraphrased Akropolites' work and introduced laudatory characterizations of the Nicaean emperors and the patriarch Arsenios, yet he avoided criticism of his patron, Michael VIII. The historian Gregoras was an active supporter of Andronikos II during the First Civil War. He presented a laudatory and at times apologetic portrait of the elder Andronikos and blamed his grandson, Andronikos III, for provoking the bloody internecine strife. Gregoras left a mixed portrait of the emperor John VI Kantakouzenos: he followed with sympathy John Kantakouzenos' struggle against the regency government of John V during the Second Civil War (1341–47), yet when he reaches the point where Kantakouzenos victoriously entered Constantinople in 1347, he changes his view of him, because Kantakouzenos began from that point on to support Gregoras' enemy, the theologian Gregory Palamas. The emperor John VI Kantakouzenos himself had an easily discernible agenda in his historical memoirs. They were a personal apology for his involvement in two disastrous civil wars that left Byzantium in ruins. Kantakouzenos strove to portray himself as a defender of the dynastic rights of the Palaiologan emperors. He played down criticism of the elderly Andronikos II, assigning

[16] Gregoras II, 645–46. In some cases, however, virtue was able to overcome fortune. See Gregoras II, 361.1–9.

[17] Gregoras I, 226.18–227.4.

Table 4. *The Kaiserkritik of the Byzantine historians*

Historians	Theodore I Laskaris	John III Vatatzes	Theodore II Laskaris	Michael VIII Palaiologos	Andronikos II Palaiologos
George Akropolites	Irate and adulterous (31.2–3).	Too parsimonious with his own subjects while too generous to foreign ambassadors (103.20–22). Frequent adultery (103.23–104.10). Confiscations of aristocratic holdings (105.3–5).	Appoints incompetent, unworthy officials and generals (123.5–15, 124.1–14, 156.7–18, 160.10–15). Irascible (114.15–19, 127–132).	Positive portrait	
George Pachymeres		Positive portrait	Positive portrait	Over-taxes Asia Minor, reduces soldiers' holdings, and alienates the local population (I.i, 27–31, 291–293; I.ii, 406–407, 633–635). Masterminds the plot to kill the Mouzalon brothers (I.i, 79–81). Wastes the wealth gathered by the Nicaean emperors (I.i, 105, 113, 139). Tyrant because of his usurpation (I.i, 259). Wants to divorce his wife out of lust for the widow of Vatatzes, Anna-Constance of Hohenstaufen (I.i, 245–249). Withdraws troops from Asia Minor (I.i, 317; I.ii, 403–405). Corrupts the idea of union with the Latins; contrasted to the Latin friar John Paristrion (I.ii, 475–479). Has a cruel and suspicious character (I.ii, 503.7–10, 613–19, 625–27). Strikes alliances with the Muslim Mamelukes and infidel Tatars (I.i, 243.1–10, I.ii, 659.20–21; cf. II.iii, 99).	Hires mercenaries and distrusts native troops (II.iv, 339, 441.20–23, 461.19–25, 529, 687). Was inactive when the Turks overran Asia Minor (II.iv, 453.26–27). Permits sale of offices; does not punish evil-doers, especially officials who delayed paying soldiers (II.iii, 235). Places too much power in the hands of Patriarch Athanasios I (1289–94, 1303–09), whom Pachymeres strongly dislikes (II.iii, 183; II.iv, 611–13).

Historians	Theodore I Laskaris	John III Vatatzes	Theodore II Laskaris	Michael VIII Palaiologos	Andronikos II Palaiologos	Andronikos III Palaiologos	John VI Kantakouzenos
Nikephoros Gregoras	Positive portrait	Positive portrait	Harsh by nature (I, 58.8–9).	Mixed evaluation of his reign. He would have been the greatest Byzantine emperor if he had not broken oaths, dirtied his hands with innocent blood, been so enamored of his own family and violated church doctrine (I, 153–55).	Positive portrait	Prodigal youth who wants to break up the empire (I, 284–85). Obsessed with hunting, breaks the traditions of court ceremonial (I, 565–68).	His friend Kantakouzenos changes his attitude for the worse after the end of the Second Civil War (III, 55–58). Causes harm to the Church by supporting the Palamites (II, 590.14–20; III, 250). Has an arrogant character (III, 107). Breaks oaths with John V (III, 150–51). Allies himself with the Turks and allows them to pillage Byzantine lands (III, 162, 200).
John VI Kantakouzenos					Causes the First Civil War by unjustly depriving his grandson Andronikos III of succession rights (I, 16–18).	Positive portrait	Self-apology throughout the history

Note: Synopsis Chronike, a derivative historical work covering events from the time of Adam until 1261, is not included in this table. This chronicle did not present critique of any thirteenth-century emperor. With regard to events in the period 1204–61, the author of *Synopsis Chronike* (probably Theodore Skoutariotes) paraphrased the historical work of George Akropolites and made a few important additions. He omitted Akropolites' negative characterizations of the Nicaean emperors and inserted praises in honor of each of them. For a similar reason, the table does not consider the versified chronicle of Ephraem of Ainos, a derivative historical work composed in the first half of the fourteenth century, which covers events from the early Roman empire until 1261 and depends on Akropolites for the period 1204–61.

blame for the First Civil War to poor imperial advisers such as Theodore Metochites.[18] He presented Andronikos III as his "brother" and himself as defender of the legitimate rights to the succession of Andronikos III's son, John V Palaiologos, during the Second Civil War.[19]

GEORGE PACHYMERES, GEORGE OF PELAGONIA AND THE LEGEND OF EMPEROR JOHN THE MERCIFUL

One remarkable historian, George Pachymeres, and one equally remarkable historical biographer, George of Pelagonia, can easily redeem the relative dearth of sound historical analysis and the narrowly personal perspectives on the past of their contemporaries. The two authors strongly attacked the Palaiologan tax system and succession practices. Both pitted old notions of public power against the Palaiologan regime, and both used the empire of Nicaea as a historical foil for criticizing the Palaiologoi. The historian George Pachymeres was the author of a history covering the period from about 1256 until 1307, that is, the entire reign of Michael VIII and about half of that of Andronikos II. The *History* of Pachymeres is the most sophisticated piece of historical writing of the period, both in its rational analysis of past events and in its complex, at times bewildering, Attic prose. The career and writings of Pachymeres provide enough information to enable one to sketch a portrait of the author. He fits closely the profile of other learned scholar-bureaucrats who flourished during the reign of Andronikos II. Born in the city of Nicaea during the heyday of the Laskarid empire, Pachymeres possessed enormous secular learning and was interested in rhetoric and classical philosophy. His other great intellectual achievement, besides his *History*, was a paraphrase of most of the Aristotelian corpus.[20] Unlike other learned scholar-bureaucrats, such as Choumnos and Metochites, Pachymeres worked in the patriarchal administration and was ordained a deacon. He began his career during the reign of Michael VIII, when we find him occupying the professorial post of "Teacher of the Apostle," and he was a close associate of the unionist patriarch

[18] Kantakouzenos I, 84.

[19] See F. Dölger, "Johannes VI. Kantakouzenos als dynastischer Legitimist," SK, 10, 19–30; repr. in F. Dölger, *PARASPORA* (Ettal, 1961), 194–207.

[20] F. Littig, *Die Philosophia des Georg Pachymeres* (Munich, 1891); B. Tatakis, *Byzantine Philosophy*, trans. N. Moutafakis (Indianapolis, 2003), 197–98. For a discussion of the rest of Pachymeres' works (rhetorical, philosophical, and theological, and a textbook on the quadrivium), see A. Failler, Pachymeres I.i, XXI–XXII; S. Lampakes, *Γεώργιος Παχυμέρης. Πρωτέκδικος καὶ δικαιοφύλαξ. εἰσαγωγικὸ δοκίμιο* (Athens, 2004).



Plate 3. George Pachymeres, Codex Monacensis gr. 442 (14th c.), f. 6 verso, Beyerische Staatsbibliothek, Munich

John XI Bekkos (1275–82).[21] During the reign of Andronikos II he rose further in the hierarchy of patriarchal officials, and at the time he was completing the *History* (shortly after 1307) he held the important judicial offices of *dikaiophylax* and *protekdikos*, which were part of the hierarchy of patriarchal officials.[22] His employment as a high-standing judge doubtless put him in close contact with daily social reality and broadened his scope beyond the limited world of the court and the imperial capital. Still, throughout his lifetime Pachymeres seems to have maintained close connections with the imperial court and was a confidant of all the emperors. Michael VIII, Andronikos II, and Michael IX trusted Pachymeres sufficiently to share with him important information and to handpick him to perform important ad hoc tasks.[23] Pachymeres was indeed a shrewd survivor in the dangerous world of early Palaiologan politics, while at the same time maintaining a degree of critical distance and, most importantly, independent judgment. In the early months of 1283 the anti-unionists gained the upper hand within the church and purged the patriarchal administration of Latin-minded ecclesiastics. The *dikaiophylax* Theodore Skoutariotes, whose office Pachymeres later came to occupy, lost his job and was excommunicated for his unionist convictions. Pachymeres stayed on and even

[21] As "Teacher of the Apostle" in 1277 Pachymeres ranked ninth among the patriarchal officials who signed a document in support of the Union. See J. Darrouzès, *Recherches sur les OFFIKIA de l'Église byzantine* (Paris, 1970), 112–23, 532.9; cf. Pachymeres I.i, XIX–XX. The close association between Pachymeres and Bekkos emerges from a number of episodes in the *History*. When in 1279 Patriarch John XI Bekkos decided to resign from the patriarchate after an embezzlement scandal in the church, he entrusted Pachymeres with writing his letter of resignation. See Pachymeres I.ii, 575.29–30. Cf. Laurent, *Regestes*, 1443. When John Bekkos received in December 1282 a *prostagma* issued by Andronikos II informing him of the death of his father, Michael VIII, the patriarch showed it first to Pachymeres. See Pachymeres II.iii, 21.14–22. Pachymeres reported Bekkos' prophetic dreams (I.i, 171) and described with sympathy his mistreatment by Michael VIII (I.i, 297–301; I.ii, 483–85; 569–71).

[22] On the function of these two offices see Darrouzès, *Recherches sur les OFFIKIA*, 327–29; R. Macrides, "Dikaiophylax," ODB, vol. 1, 624. It can be assumed that Pachymeres completed his *History* shortly after 1307, the year when his account suddenly breaks off, most likely because of the author's death.

[23] In 1265 Michael VIII chose Pachymeres, at that time a young notary in the patriarchate, to be part of a delegation which visited the exiled patriarch Arsenios in his prison on the island of Prokonnesos. See Pachymeres I.ii, 373. Michael VIII also talked to Pachymeres about his "poverty" before he was elected regent in September 1258. See Pachymeres I.i, 103.4–8, where the author reports somewhat disapprovingly Michael VIII's claims of poverty. Andronikos II, while residing in Nymphaion in Asia Minor (1290–93), entrusted Pachymeres with conducting negotiations with the Latin ambassadors of the King of Naples, Charles II (1285–1309), regarding the possible betrothal of Michael IX Palaiologos to Catherine of Courtenay. See Pachymeres II.iii, 171.19–25. In 1301 Andronikos II again selected Pachymeres to interview an aged official of John III Vatatzes regarding Nicaean fiscal practices. See Pachymeres II.iv, 325.32–327.2. Michael IX Palaiologos was close enough to Pachymeres to talk to him about the rebellion and the blinding of the general Alexios Philanthropenos (1296). See Pachymeres II.iii, 239.32–35.

climbed higher on the ladder of the patriarchal administration.[24] Yet, unlike Theodore Skoutariotes (the likely author of the *Synopsis Chronike*), Pachymeres did not present a honeyed image of the rulers in a lackluster world chronicle. The very proximity to the imperial court which made other historians parochial was for Pachymeres a unique opportunity to observe with a critical eye the problems of early Palaiologan society. He was a harsh critic of Michael VIII, whose portrait he painted with a great sense of sarcasm, and he ventured to criticize even the contemporary emperor Andronikos II and his government.

The second important critic of the Palaiologoi was George of Pelagonia (known also as George the Philosopher), a Byzantine classical scholar whose literary activity is traceable in the middle and second half of the fourteenth century. George of Pelagonia composed a panegyrical biography of the Nicaean emperor John III Vatatzes more than a century after the latter's death, at a time when he was the object of saintly veneration. This work – a product of the intellectual and political milieu of the second half of the fourteenth century – falls outside the chronological limits of our inquiry. Yet the depth of its criticism of the ruling dynasty and the similarity between its approach to the Nicaean past and that of Pachymeres' *History* warrant its inclusion in our discussion. Precious little is known about the author himself. Born in the town of Pelagonia (Bitola) in Macedonia, George had a considerable secular education and was interested in grammar and classical philosophy.[25] He opposed the mystical theology of Palamism in the mid-fourteenth century and about 1354 wrote a polemical treatise directed

[24] On the conviction of Skoutariotes, see Pachymeres II.iii, 65.

[25] August Heisenberg published the panegyrical biography of Vatatzes in 1905 with the title "Life of St. John the Merciful" on the basis of the fifteenth-century Vat. gr. 579. He was not aware of its author, because the manuscript which he used transmits the work as anonymous, and attributed it to a monk from Magnesia. See A. Heisenberg, "Kaiser Johannes Batatzes der Barmherzige," BZ, 14 (1905), 160–233. One year later, in 1906, Nicola Festa published a short study of the text. Although he did not solve the problem of authorship, he showed that the text in the manuscript is an autograph draft of the author and contains his own interlinear and marginal revisions. Festa argued, quite rightly, that the saint's life is an encomium in form and that its title, "Life" (Βίος), is an addition by a later hand. See N. Festa, "À propos d'une biographie de St. Jean le Miséricordieux," VV, 13 (1906), 1–35. In 1927 Gyula Moravcsik brought to light another fifteenth-century Vatican manuscript of the work, Vat. gr. 2129, and demonstrated that the text in this manuscript was a copy of the corrected version in Vat. gr. 579, with the significant addition of the author's name in the title: τοῦ Πελαγονίας [*sic*]. As Moravcsik observed, this could be no one else than George of Pelagonia, the only literatus of the Palaiologan period bearing the surname "of Pelagonia." See G. Moravcsik, "Der Verfasser der mittelgriechischen Legende von Johannes dem Barmherzigen," BZ, 27 (1927), 36–39. In 1957 Konstantinos Amantos announced the existence of a third, post-Byzantine manuscript of the work which, according to him, does not offer any significant new readings: Cod. Sinait. gr. 2015. See K. Amantos, "'Ο βίος Ἰωάννου Βατάτζη τοῦ Ἐλεήμονος," in *Προσφορὰ εἰς Στίλπωνα Π. Κυριακίδην* (Thessaloniki, 1953), 29–34. George of Pelagonia is a shadowy figure in the history of Palaiologan literary culture. See PLP, no. 4116. That he was born in the town of Pelagonia (Bitola) can be deduced from his

against the Hesychast theologian Gregory Palamas, which remains unpublished.[26] He composed the laudatory biography of John III Vatatzes not long after 1371, at a time when he was living in or visiting Constantinople.[27] Unfortunately, it is not known how George of Pelagonia made a living – whether as a salaried imperial official or possibly as a teacher – but he was certainly not a bishop, as has been hypothesized.[28] The humanistic and secular

surname "the Pelagonian" (Πελαγών or Πελαγώνιος) or "of Pelagonia." In addition to the life of John Vatatzes, two other works of his are extant and still unpublished: a treatise on grammar and a polemical tract against Gregory Palamas. See E. Granstrem, "Katalog grecheskikh rukopisei leningradskikh khranlishch," VV, 31 (1971), 136 (treatise on grammar in St. Petersburg, Sobr. gr. 489); A. Martini and D. Bassi, *Catalogus codicum Graecorum Bibliothecae Ambrosianae* (Milan, 1906), 245 (polemical tract against Palamas in Ambr. gr. 223 (D 28 sup.)). George of Pelagonia left a note in a manuscript containing the *Physics* and *On the Heavens* of Aristotle. This is Ambr. gr. 512 (M 46 sup.), where he signed his name as George the Philosopher of Pelagonia. This manuscript belonged once to the emperor Theodore II Laskaris; then it became a property of George of Pelagonia and finally passed into the hands of the scholar John Chortasmenos (ca. 1370– before 1439). See Martini and Bassi, *Catalogus*, 617–18; G. Prato, "Un autografo di Teodoro II Lascaris imperatore di Nicea?," JÖB, 30 (1981), 250, n. 13. On the first folio George of Pelagonia commented critically on a note by Theodore II Laskaris: "May no one say this, namely that a book has been read by someone. For this is not a big enough achievement, but the reader is praiseworthy only if, having read the book, he thinks about it, no matter what his judgment is. And he would thus appear to be a lover of letters and much worthier than the one who never excels in matters of learning or than the critic of 'the great folly' of people pursuing intellectual subjects."

26 Moravcsik, "Der Verfasser," 38, dated the work to about 1354, without adducing any evidence. J. Meyendorff, *Introduction à l'étude de Grégoire Palamas* (Paris, 1959), 413, mentioned the text in his list of sources on the Palamite controversy, but did not assign to it any date.

27 The dating of the text has been the subject of controversy. George of Pelagonia mentioned or alluded to a few events of the late fourteenth century. Two which have been noted by scholars are the conflict between John VI Kantakouzenos and Genoa in 1348 and the Turkish sack of Adrianople in 1369. On the date of the former event, see Festa, "À propos d'une biographie," 15–17. A. Heisenberg, BZ, 14 (1905), 162, considered 1361 to be the date of Adrianople's capture and dated the text to approximately 1365–70. In the meantime E. Zachariadou, "The Conquest of Adrianople by the Turks," *Studi Veneziani*, 12 (1970), 211–17, has shown that Adrianople fell in 1369. In fact, the author refers to the emperors of his day as tributaries to the Turkish rulers and therefore must have been writing after 1371, when, as a result of the battle on the Maritza, Byzantium began to pay tribute to the Turks. See Heisenberg, BZ, 14, 194.19–21: καὶ δουλεύουσι νῦν αἰσχρῶς δυσμενέσι βαρβάροις φόρους ἀπάγοντες, καὶ ποιοῦσι κατ' ἀνάγκην τὰ προσταττόμενα. Cf. G. Ostrogorsky, "Byzance, état tributaire de l'Empire turc," ZRVI, 5 (1958), 49–58. On the other hand, George of Pelagonia must have written the biography not long after 1371, if we are to accept that he was involved in the Hesychast controversy in the 1350s. Therefore a date of composition in the early fifteenth century, as suggested by Festa "À propos d'une biographie," 17–18, is improbable. Festa has pointed to a number of passages indicating that the author was addressing a Constantinopolitan audience. To the examples which Festa has adduced, one may also add George of Pelagonia's digression about the slothful Byzantine soldiers and mariners living in Constantinople in his own time. He professed to have seen them with his own eyes. See Heisenberg, BZ, 14, 228.1–21.

28 See H.-G. Beck, *Kirche und theologische Literatur im byzantinischen Reich* (Munich, 1959), 723. Cf. A.-M. Talbot, "George the Philosopher," ODB, vol. 2, 838–39. According to Moravcsik, "Der Verfasser," 38–39, George of Pelagonia may have been the abbot of the monastery of Saint Demetrios in Pelagonia. These hypotheses are implausible for several reasons. For one thing, no source refers to him as bishop or monk. His name "the Pelagonian" indicates a place of origin rather than being a reference to an ecclesiastical see. One may compare him to the patriarch Gregory of Cyprus (Γρηγόριος Κύπριος)

interests of an anti-Palamite are evident in his biography of Vatatzes, which he filled with about forty quotations from classical authors, mostly Plato.[29] Although his subject was a holy man, George of Pelagonia never called the emperor a saint and referred to him instead as "emperor John the Thracian," "emperor John" or simply "the admirable John."[30] He avoided the clichés and the providential scheme of causality characteristic of saints' lives. Only after lengthily giving the biography and describing the accomplishments of Vatatzes did the author mention briefly, almost as an afterthought, one posthumous healing miracle worked by the saint's relics. His lack of interest in sainthood is quite noteworthy in the fourteenth century, when the patriarchate of Constantinople established a procedure for the official sanctioning of the legitimacy of new saints based on examining their miracles – a kind of canonization.[31] This suggests that George of Pelagonia was not addressing an ecclesiastical audience and, not surprisingly, the patriarchate of Constantinople recognized the emperor John Vatatzes as Saint John the Merciful only in the late seventeenth century.[32] Rather, his self-proclaimed

or the scholar George of Trebizond (Γεώργιος Τραπεζούντιος), who were born in Cyprus and Trebizond, respectively. Second, an anti-Palamite like George of Pelagonia was unlikely to have held a post in the church after the triumph of Palamism in 1354. Third, Pelagonia was in Serb hands from the early 1340s until its fall to the Turks in 1385. See G. Soulis, *The Serbs and Byzantium in the Reign of Tsar Stephan Dušan and His Successors* (Washington, 1984), 19 ff., 156. The issues which George of Pelagonia discussed concerned Byzantine politics, and there are references, as we have seen, to Constantinople. By contrast, when the author spoke of Vatatzes' reconquest of Macedonia in the 1240s, he declined to dwell on this and referred his audience to history books for additional information. See Heisenberg, BZ, 14, 224.27–28. There is a possibility that George of Pelagonia was identical with another George the Philosopher, who appears in the sources under different names: George the Philosopher, George Gabrielopoulos, and George Kydones. See PLP 3433. This George was a physician by profession and is known mostly from the letters of Demetrios Kydones. He lived in Constantinople until 1361, when he left the city because of suspicions of disloyalty to John V. He traveled extensively (in Cyprus, the Holy Land, Crete, the Morea, Genoa, and Venice) and in 1383 was pardoned by John V. On his life and career see F. Tinnefeld, "Georgios Philosophos. Ein Korrespondent und Freund des Demetrios Kydones," OCP, 38 (1972), 141–71. One has to admit that there are some similarities between the two literati named George the Philosopher. Both were anti-Palamites, both considered Plato to be their favorite philosopher, both were critical of the regime of John V. On the other hand, George Gabrielopoulos Kydones originated from Thessaloniki, not from Pelagonia, and never used the surname Pelagonios. Therefore this identification has to be rejected.

29 See J. Praechter, "Zum Enkomium auf Kaiser Johannes Batatzes den Barmherzigen," BZ, 16 (1907), 143–48. There are numerous quotations from *Gorgias*, *The Republic*, *Phaedo*, *Phaedrus*, *Laws*, and *Timaeus*. The quotes from Christian authors are much less in number.

30 Heisenberg, BZ, 14, 195.14, 197.29, 210.6, 211.10, 213.11.

31 The most recent case of such a canonization was that of Gregory Palamas in 1369. See R. Macrides, "Saints and Sainthood in the Early Palaiologan Period," in S. Hackel (ed.), *The Byzantine Saint* (San Bernardino, 1983), 69–71.

32 John Vatatzes was officially recognized as a saint shortly before or during the term in office of Patriarch Parthenios IV (1657–62). See M. Gedeon, *Πατριαρχικοὶ πίνακες* (Istanbul, 1884), 587–88; Macrides, "Saints and Sainthood," 71. His name still appears in the calendar of the orthodox church on 4 November. A seventeenth-century saint's life of Vatatzes seems to reflect a local

goal was to perpetuate the emperor's memory and, most importantly, to provide his contemporaries with a model ruler against whom they would be able to judge the abilities of contemporary emperors.[33]

The work by George of Pelagonia defies traditional generic classifications and may be called a panegyrical biography. The author appears to have derived all his factual information from the histories of Choniates, Akropolites, and Skoutariotes, or possibly other historical works which have not survived. He fitted the episodes of the emperor's life into the rhetorical form of imperial panegyric and employed traditional rhetorical devices, such as comparisons of the ruler with classical and biblical figures. Most of the biographical information he provided for Vatatzes' life is attested in earlier sources and is undoubtedly historically accurate.[34] In two cases, in order to make the image of Vatatzes more glamorous, George of Pelagonia narrated accomplishments for which he or his alleged ancestors were not responsible. The author related at length the story of the military exploits of the grand domestic John Komnenos Vatatzes (late twelfth century), about whom he appears to have read in Choniates and whom he made the emperor's grandfather.[35] He also had Vatatzes defeat and kill in battle the Seljuk sultan Kaykhusraw I (1192–96, 1204–11), which was actually a famous exploit of Theodore I Laskaris at the battle of

popular tradition in the region of Magnesia – it has been republished by J. Langdon, *Byzantium's Last Imperial Offensive in Asia Minor* (New Rochelle, 1992), 88–117. In 1931 Hippolyte Delehaye announced the discovery of what then seemed to be an early saint's life of the emperor written by Constantine Akropolites (d. ca.1324), the historian's son. See H. Delehaye, "Constantini Acropolitae hagiographi byzantini epistularum manipulus," *Analecta Bollandiana*, 51 (1931), 266. Cf. F. Halkin, *Bibliotheca Hagiographica Graeca*, 3rd edn. (Brussels, 1957), no. 934c. This *vita*, or rather account of the saint's posthumous healing miracles, deals with a different thirteenth-century saint, who was born in Lampsakos and was a soldier. While the cult of the saintly emperor was centered on the region around Magnesia, this saint was venerated in Nicaea. He was surnamed "the Younger" most probably in order to be differentiated from Vatatzes. See D. Polemis, "The Speech of Constantine Akropolites on St. John Merciful the Young," *Analecta Bollandiana*, 91 (1973), 31–54.

33 Heisenberg, BZ, 14, 195.6–13, 195.31–34.

34 George of Pelagonia borrowed from the *History* of Akropolites the episodes of the battle of Poimanenon (ca. 1224), the rebellion of the Nestongoi brothers (1224), the siege of Constantinople (1235–36), and the construction of the fleet. See Akropolites I, 34–38, 51–52, 59; Heisenberg, BZ, 14, 219–220, 221–222, 226.35–227.6. The mention of Vatatzes' financial support for the churches of Constantinople during the Latin occupation of the city may have been derived from *Synopsis Chronike*, MB, vol. 7, 508–09. Cf. A. Heisenberg, BZ, 14 (1905), 222–24.

35 *Nicetae Choniatae Historia*, ed. J.-L. van Dieten, 262–64 (cf. the fourteenth-century vernacular paraphrase of Choniates' *History*, *Nicetae Choniatae Historia*, ed. I. Bekker (Bonn, 1835), 340–43); Heisenberg, BZ, 14, 199–206. George of Pelagonia altered the name of Vatatzes' supposed grandfather from John to Constantine and never indicated which of the latter's two sons was Vatatzes' father, while changing their names from Manuel and Alexios to Nikephoros and Theodore. This "information" has no historical value for reconstructing Vatatzes' family biography. The identity of his parents is unknown from contemporary sources.

Antioch-on-the-Meander in 1211.[36] In addition, an episode which is clearly fictitious was inserted into the panegyrical biography. An English nobleman (brother of the king of England) had allegedly asked for the hand in marriage of Theodore I Laskaris' daughter, and Vatatzes was made to defeat spectacularly the foreign rival in a wrestling bout.[37]

The two historians-critics of the Palaiologoi raised the Nicaean emperor John III Vatatzes to the pedestal of a model of kingship and historical antithesis to the dynasty which ruled Byzantium after the Laskarids. George Pachymeres and George of Pelagonia were neither subtle nor rhetorical in using the historical memory of the Nicaean empire. Pachymeres announced in the very preface to his *History* that Byzantium lost Asia Minor because it abandoned the sound fiscal and diplomatic policies of the Nicaean emperors.[38] George of Pelagonia also declared in the introduction to his panegyrical biography that he was providing his contemporaries with a yardstick for judging the Palaiologoi.[39] When presenting Vatatzes' biography, he often slipped into a direct critique of the Palaiologan dynasty. The two authors chose to construct their critiques of the Palaiologoi in the way they did because they found in Vatatzes a credible and universally recognized symbol of good and just kingship. In the early Palaiologan period fables and legends had grown around the figure of Vatatzes – legends known and exploited both in popular milieux and by the court. The reasons for idealizing the Nicaean past are not hard to discern. The empire of Nicaea had succeeded in establishing a well-functioning central administration and had been constantly on the offensive in order to recover lost territories after 1204. As the Turks overran Asia Minor in the late thirteenth century, the Greek Anatolian population remembered Vatatzes' reign as a halcyon time of relative peace and prosperity. Vatatzes' burial place in the monastery of the Virgin Sosandra near Magnesia (the family shrine of the Laskarids) became a pilgrimage center of saintly veneration. On account of his legendary generosity to the poor, the local population remembered him as St. John the Merciful. The historian Pachymeres provides the earliest historical testimony of his saint's cult. Relating the story of the siege of Magnesia by the Turks in 1303, he mentions having overheard from "many and reliable witnesses" accounts of an unusual, miraculous event. In 1302 the junior emperor Michael IX Palaiologos (1294–1320) took residence in the city of Magnesia and assumed its defense together with an Alan mercenary force.

36 Akropolites I, 16–17; Heisenberg, BZ, 14, 215–217. 37 Heisenberg, BZ, 14, 212–13.
38 Pachymeres I.i, 23–35. 39 Heisenberg, BZ, 14, 195.6–13.

He accomplished little and left Magnesia in the winter of the following year. Then, suddenly, Saint John the Merciful began to appear at night along the city walls dressed in full imperial regalia. He proved his sanctity by miraculously restoring hearing to a deaf man, urged the population to defend the city, and declared that he had become its protector.[40] The circulation of this story among the embattled townsmen of Magnesia shows their nostalgia for the Nicaean past, their sense of abandonment by the Palaiologoi, and their search for a saintly defender against the Turks.

The Palaiologoi themselves were keen to appropriate the historical memory of Vatatzes. The imperial panegyrics of Michael VIII flaunted Vatatzes as the emperor's uncle who had raised the first Palaiologos and had recognized his extraordinary abilities as a warrior. In his propagandist autobiography Michael VIII presented himself as the heir to Vatatzes, whose grandniece he had married.[41] He also used Vatatzes' negotiations with the papacy (in the period 1250–54) as the historical model for his own Union of Lyons (1274–82).[42] In 1301 Andronikos II invoked the memory of Vatatzes as a rigorous collector of taxes in order to parry the church's opposition to raising the excise tax on salt and iron.[43] And in 1305, faced with the disastrous depredations of Asia Minor and Thrace by the Catalan Grand Company, Andronikos II defended himself in a public address before the leading officials and dignitaries of empire by pointing to the example of the great Vatatzes, who also had employed Latin mercenaries.[44] Pachymeres, who reported the propagandist uses of Vatatzes' figure by the Palaiologoi, offered a veiled response in his *History* and turned the historical memory of the Laskarids against the ruling dynasty. Doubtless

40 Pachymeres II.iv, 347–49, 439–41. A manuscript of the *History* of Akropolites, which dates to the fourteenth or fifteenth century (Vat. gr. 166), contains a marginal gloss which refers to Vatatzes as St. John the Merciful. See Akropolites I, 32.13 (*apparatus criticus*).

41 H. Grégoire, "Imperatoris Michaelis Palaeologi de Vita Sua," B, 29–30 (1959–60), 49. Cf. chapter 3, pp. 124–25.

42 Pachymeres I.ii, 471.13–17. Gregoras I, 129. The embassy to Rome at that time had been led by the metropolitan of Sardis Andronikos and the metropolitan of Kysikos George and had included the future patriarch Arsenios. Cf. chapter 11, p. 367.

43 Pachymeres II.iv, 321–27. The patriarch John XII Kosmas (1294–1303) had protested against higher excise taxes because they led to price increases. Andronikos II had a certain Angelos, *logaristes tes aules* at the time of Vatatzes, write a statement which was read in front of the patriarch. According to his testimony, Nicaean tax officials who failed to collect the predesignated amount of taxes faced a harsh punishment. One of them was beaten to death on the emperor's orders. Another fled to Trebizond, fearing punishment.

44 Pachymeres II.iv, 597. Andronikos II is said to have referred to a Western mercenary by the name of William (Γουλίελμος). The identification suggested by Albert Failler of this William with Goulamos (Γουλάμος), lord of Albanon, mentioned by Akropolites I, 91.11, is not probable.

the Nicaean ruler commanded respect and authority among the historian's audience.

THE CRITICS AND THEIR IDEAS

When Pachymeres was completing his *History* in the first decade of the fourteenth century, the Turks had already overrun the whole of the Anatolian countryside and the Byzantines retained a foothold in only a few cities, including the historian's native Nicaea. In his *History* Pachymeres used economic reasoning to explain the fall of Asia Minor to the Turks. He paid enormous attention to tax collection and tax redistribution. The historian often called these taxes "public taxes."[45] He and Kantakouzenos were the only late Byzantine historians to speak of a "public treasury," a designation which they used interchangeably with the more conventional expression "imperial treasury."[46] In the introduction to his *History* Pachymeres set out clearly the contrast between Nicaean and Palaiologan taxation policies. Here he singled out two wise policies of the Nicaean rulers, policies which the Palaiologoi abandoned with detrimental consequences. First, the Laskarids of Nicaea had provided the Byzantine border soldiers living along the Turkish frontier with salaries, military holdings (*pronoiai*), and generous tax exemptions on their privately owned landed properties. Thus the fighting spirit of the soldiers grew in tandem with their economic prosperity, and they put up a very successful resistance against the Turks.[47]

45 Pachymeres called imperial taxation "public taxation" (κοινὴ εἴσπραξις). See Pachymeres I.i, 99.17 and further n. 46. A favorite expression of the historian for designating imperial taxation was "the common [public] contributions" (κοιναὶ συνδόσεις). See Pachymeres I.i, 99.12; II.iv, 339.11. Cf. Pachymeres II.iv, 543.1–2 (taxation practices among the Genoese of Pera). In two cases Pachymeres spoke of the "public funds" (τὰ κοινά). See Pachymeres I.i, 101.11, 105.5.

46 Pachymeres used two expressions, "the public treasury" (κοινὸν ταμιεῖον) and "the imperial treasury" (βασιλικὸν ταμιεῖον), to describe the fisc. On the latter expression, see Pachymeres I.i, 33.9, 77.29, 97.20, 307.18. On the former, see Pachymeres I.i, 139.17, 253.16, 293.7, 307.27, 313.18; II.iii, 81.11, 81.30, 179.31; II.iv, 325.24, 629.15. That he was speaking about the same treasury becomes obvious in a passage where he uses the two expressions interchangeably. See Pachymeres I.i, 307. Kantakouzenos distinguishes between the "imperial treasury" (βασιλικὸν ταμιεῖον) and the "public fisc" (δημόσιον). For the former expression, see Kantakouzenos I, 167.11–12, 202.20–21, 203.18, 279.21–22, 311.17–18, 338.15, 380.6; II, 89.13–14, 100.20–21, 149.2. For the latter, see Kantakouzenos II, 89.17, 279.12; III, 81.4–5, 188.21. Yet Kantakouzenos also used the two expressions interchangeably. See Kantakouzenos II, 89. By contrast, Akropolites and Gregoras speak simply of "the imperial treasury" and call it most often βασιλικὸν ταμιεῖον. See Akropolites I, 6.9, 6.27; Gregoras I, 191.2, 220.21, 242.14, 263.9, 317.20, 524.17; II, 789.17, 790.5; III, 243.24. The expression βασιλικὸν πρυτανεῖον is restricted to Gregoras: Gregoras I, 69.21–22, 101.16, 138.11, 205.12–13, 222.23–24, 396.10, 425.19, 566.11–12; II, 595.22, 603.8, 666.2, 854.17.

47 Pachymeres I.i, 29.20–31.20. The historian spoke of tax exemptions (ἀτελίαι), *pronoiai*, and other "daily acts of generosity" (καθημεριναὶ βασιλικαὶ φιλοτησίαι). The last expression probably refers to the payment of salaries.

However, after 1261 Michael VIII made the fatal decision to tax their properties and reduced significantly the size of their *pronoiai* holdings.[48] The impoverished border soldiers – former guardians of the frontier – found themselves in dire economic straits; some migrated away from border areas and others joined forces with the Turks in raiding Byzantium. It was this social explanation of the loss of Asia Minor, intimately bound to Palaiologan fiscal policies, which Pachymeres pursued systematically in the body of his *History*.

The second historical explanation of the Turkish conquest which Pachymeres proposed in the introduction concerned the empire's foreign policy. The Nicaean emperors had been wise enough not to fight simultaneous wars on two fronts, in Asia Minor and in the Balkans.[49] Thus they were able to concentrate the empire's limited military resources on one critical spot at a time. The Palaiologoi did not adhere to this policy and overextended themselves in wars in Asia and in Europe. To be sure, Pachymeres reported here a criticism of Michael VIII with which we are already familiar: in his second panegyric delivered in Nicaea in the period 1290–93, the young Theodore Metochites urged Andronikos II to forget about the West and devote every effort to defending Asia Minor.[50] Pachymeres' historical commentary on the empire's foreign policies was more sophisticated than Metochites' panegyrical one. The historian played down the individual responsibility of the Palaiologoi by noting the difficult geopolitical reality they faced. The despotate of Epiros was a recalcitrant enemy that constantly siphoned the empire's resources away from the East.[51] According to Pachymeres, history itself showed its wry face to the Palaiologoi. The reconquest of Constantinople in 1261 tragically turned the empire westward and made it harder for the Palaiologoi to follow Laskarid policies. The absence of the Byzantine emperors from Asia Minor after 1261 disheartened the local population and created conditions ripe for corruption among local tax officials.[52] Pachymeres reported that a member of Michael VIII's close circle, the *protasekretis* Michael Senacherim, had exclaimed upon learning of the recapture of Constantinople in 1261, "May no one cherish hopes for the future, because the Romans again have set foot in the City."[53] By 1307, when Pachymeres was completing his *History*, these words must have sounded like a fulfilled prophecy.

[48] Ibid., 31.23–33.11. Pachymeres attributed the initiative for this detrimental innovation to a certain Chadenos, who may have been the tax official Constantine Chadenos known from the documents of the Lembiotissa archive. See MM, vol. 4, 285. Cf. Dölger, *Regesten*, 2010a.

[49] Pachymeres I.i, 27.19–29.19.

[50] See chapter 5, pp. 169–72.

[51] Pachymeres I.i, 35.14–23.

[52] Pachymeres I.ii, 405.23–407.20, 633.26–635.9.

[53] Pachymeres I.i, 205.

Pachymeres held the Palaiologoi personally responsible for the fiscal mismanagement of the empire. The historian was particularly preoccupied with showing how Michael VIII frittered away the funds diligently gathered by the Laskarids and misused the public fisc. For Pachymeres, the seeds of the disaster were sown during the three-year period (1258–61) when Michael VIII Palaiologos consolidated his hold on power, was elected co-emperor, and deposed and blinded the child-emperor John IV Laskaris. Pachymeres' emphasis on this transition led him to give an unbalanced account of the reign of the first Palaiologos. Two of the six books devoted to the reign of Michael VIII (1259–82) describe in detail the memorable events of this three-year transitional period. One of the crucially important episodes in his *History* was the blinding of the last Laskarid emperor on Christmas Eve 1261. According to the historian, this event was "the beginning of great troubles for the Romans and the cause for an intolerable political turmoil."[54] The criminal breach of oaths which accompanied Michael VIII's accession to the throne as a sole emperor led to the Arsenite schism (1265–1310) and alienated the hearts and minds of the Anatolian population from the Palaiologoi. Most importantly, however, a number of fiscal and administrative changes marked the accession of Michael VIII. It was in this context of the political transition between Nicaea and the Palaiologan state that Pachymeres opposed the two rival models of taxation.

According to Pachymeres, Vatatzes viewed tax money and the taxable properties of the subjects as public property. Therefore he spent as little tax wealth as he could, maintaining extensive crown lands and private imperial flocks which provided him with most of the revenues necessary for imperial administration. Pachymeres made the most important observations on the nature of Nicaean finances after describing the election in September 1258 of Michael Palaiologos as regent governing in the name of the underage John Laskaris. This post gave Palaiologos access for the first time to the hoarded wealth of the Laskarids. The historian praised the Nicaean emperors as competent financial managers and mentioned that both John III Vatatzes and Theodore II Laskaris had left behind full treasuries. The treasury of Theodore II (kept in the fortress of Astritsios in the Troad) consisted entirely of tax monies. By contrast, the sole source for Vatatzes' treasury (kept in Magnesia) was revenues from crown properties and gifts from foreign rulers; it held no public taxes, the "livelihood of the people," as Pachymeres called

[54] Pachymeres I.i, 225.25–26: τὸ δ' ἦν ἄρα τὸ τοῖς Ῥωμαίοις μεγάλων ἄρξαν κακῶν καὶ ταραχῆς ἀνυποίστου ῥεχθέν.

them. Vatatzes used this private imperial wealth for overtly public purposes, such as paying officials their salaries.[55]

Pachymeres turned Vatatzes' crown estates, whose existence is solidly attested in contemporary sources, into a model of just imperial finances.[56] The historian was at pains to stress Vatatzes' reluctance to spend tax wealth and related two telling anecdotes. The first was about a lesson in just rulership which Vatatzes taught his son Theodore II Laskaris. One day the young prince had gone hunting dressed in the imperial gold-embroidered clothes. When the father saw him returning in full regal splendor, he scolded him for having donned and flaunted garments paid for with the subjects' "blood" (that is, with tax money). Vatatzes advised his son to wear the luxurious imperial clothes only on important public occasions, such as the reception of foreign ambassadors.[57] In another anecdote that was meant to reveal Vatatzes' legendary generosity, Pachymeres underlined again his special attitude to tax wealth. Once, after having recovered from a serious sickness, Vatatzes decided to distribute as an act of thanksgiving gold coins to the poor urban populace in the empire. He gave out coins from his private purse, because he did not want to waste public tax money on individual expenditure. Vatatzes even called the Nicaean patriarch Manuel II (1243–54) to bear witness to the source of the money:

> Wishing to defend himself before the Romans that the public funds were not depleted after he had distributed so great a quantity of alms, he [the emperor John III Vatatzes] called as a witness to his words before the patriarch Manuel the almsgiver himself [that is, John III Vatatzes himself] and said that no public funds had been wasted, but he had acquired these monies through his own diligence and care, by which he constantly cultivated lands, helped in this by knowledgeable experts, and raised various animal flocks in his estates.[58]

Other similar anecdotes which illustrated Vatatzes' unwillingness to exploit tax wealth appear to have circulated widely during the fourteenth century. The historian Gregoras related a curious story of the Nicaean ruler using

[55] Pachymeres I.i, 97.21–30. The historian's language is worthy of note. Vatatzes' treasury in Magnesia did not consist of unjustly collected tax wealth (ἐκλογαί; εἴσπραξις ἄδικος), which were the "livelihood of the people" (βίοι ἀνθρώπων) and the "blood of the poor" (αἷματα πενήτων), but came from revenue raised from private agricultural estates (ἐκ τῆς περὶ τὰ ἴδια προμηθείας; ἐκ γεωπονίας).

[56] See MM, vol. 4, 9, 142–44, 146–50. Cf. *Synopsis Chronike*, MB, vol. 7, 507.29–31.

[57] Pachymeres I.i, 61–63.

[58] Pachymeres I.i, 101.10–16: Καὶ Ῥωμαίοις ἀπολογεῖσθαι θέλων ὡς ἀμείωτα τὰ κοινά, τοῦ τοσούτου προβάντος ἐλέου, αὐτὸν ἐκεῖνον τὸν ἐλεήσαντα τῶν λεγομένων ἔφερε μάρτυρα πρὸς τὸν πατριάρχην Μανουήλ, λέγων ὡς οὐδὲν ἐξήντληται τῶν κοινῶν, ἀλλ᾽ἐκ προμηθείας κτήσαιτο ταῦτα καὶ μελέτης ἰδίας, ἐξ ὧν γεωπονῶν οὐκ ἀνίει δι᾽ εἰδημόνων ἀνδρῶν, ἔτι δὲ καὶ τῶν ἐν αὐτοῖς δὴ τοῖς κτήμασι θρεμμάτων διαφόρων ἐπιμελούμενος.

the revenues of imperial chicken farms to purchase a crown for his wife, Eirene Laskarina. The empress's crown had become known among the appreciative Nicaean subjects as the "egg-crown."[59] In the late fourteenth century George of Pelagonia also praised Vatatzes for having distributed alms out of his own private assets and not out of the public taxes.[60]

For Pachymeres, Michael VIII's tax policies were the polar opposite to those of Vatatzes. The first Palaiologos availed himself recklessly of the empire's tax wealth after he gained access to the Laskarid treasuries in the autumn of 1258. Writing with the hindsight of the early 1300s, when the government of Andronikos II was chronically short of money, the historian saw part of the problem in the senseless waste of a healthy fiscal surplus. He described scathingly how in 1258 and 1259 various social groups – senators, soldiers, and ecclesiastics – thronged to the side of Michael Palaiologos "like dogs" in order to receive a share of the Laskarid treasuries or a tax privilege.[61] The new emperor issued so many charters of privilege in the second indiction (September 1258–September 1259) that he was later compelled to repeal some of them.[62] The historian emphasized that the purpose of this generosity was to lure supporters for his usurpation.[63]

Pachymeres' critique of Michael VIII, however, went much further than denouncing his wasteful policies. It focused on the ways in which Michael VIII used illegitimately the tax apparatus of the state to extort wealth from the population of Asia Minor. To illustrate Pachymeres' train of thought, we need to return to the episode of the lesson which Vatatzes taught his son Theodore Laskaris upon the latter's return from hunting. The historian put in the mouth of Vatatzes a fateful maxim. He instructed his son that "the wealth of the emperors is reckoned to be the wealth of the subjects. For this reason, it is absolutely unacceptable for subjects who are so [wealthy] to subordinate themselves in service to others."[64] Pachymeres did not elaborate further as to the kind of service and subjection to which he was referring,

[59] Gregoras I, 43. The eggs were sold to the Seljuk Turks, Nicaea's neighbors, who paid high prices for them during a famine.

[60] Heisenberg, BZ, 14, 231.25–33.

[61] Pachymeres I.i, 105.5–9 (funds given to the church), 111.27–113.1 (to officials), 139.3–8 (to senatorial dignitaries and soldiers).

[62] Pachymeres I.i, 139. One of the short-lived privileges apparently was the conversion of the *pronoia* into a hereditary possession.

[63] In a passage describing Michael VIII's generous fiscal grants to the Byzantine marines and rowers (*gasmouloi* and *proselontes*), Pachymeres pondered the causes for this reckless generosity. He raised three hypotheses: Michael VIII was generous by nature, he wanted to enlist supporters for his coup, or he wanted to imitate the Nicaean emperors. Pachymeres rejected as improbable the first and the third hypotheses. See Pachymeres I.i, 255.12–20.

[64] Pachymeres I.i, 63.7–9: ὁ γὰρ βασιλέων πλοῦτος πλοῦτος τῶν ὑπηκόων λογίζεται· παρ᾽ ἣν αἰτίαν καὶ τὸ εἰς δουλείαν καθυπείκειν ἑτέροις σφίσιν οὕτως ἔχουσι καὶ λίαν ἀπώμοτον.

but in another section of the *History* he was more straightforward: it was the voluntary subjection of the heavily taxed Byzantine population of Asia Minor to the Turks. Pachymeres dealt again with Michael VIII's taxation policies while describing the Turkish conquest of Paphlagonia and eastern Bithynia early in his reign.[65] The historian noted that Michael VIII squandered very rapidly the Laskarid treasuries which he had inherited, adding that the costly diplomatic dealings with the West drained further the fisc. Finding himself short of money, Michael VIII began to tax the previously tax-exempt population of Asia Minor. He ordered frequent fiscal surveys and imposed burdensome levies. This policy had fatal consequences. Although the peasants in Paphlagonia and eastern Bithynia were inhabiting a very fertile land and had plenty of foodstuffs, they were short of gold and silver coins in which the taxes were collected. After selling their produce, they could no longer sustain themselves. The border population approached the Turks, began to serve them as guides and informers, and took part in raiding expeditions against Byzantium. Thus, under the burden of rapacious taxation, the Byzantine population turned away from agriculture and began to procure its sustenance by pillage and plunder under the leadership of Turkish emirs.

This episode is closely related to the story of the economic decline of the border soldiers, who also lost their wealth by paying taxes. Pachymeres' reasoning is clear: during the Nicaean period the Byzantine population of Asia Minor did not succumb to the Turks, because they paid lower taxes to the central government than later under the Palaiologoi. The historian asked himself why Michael VIII should have decided to embark on such a short-sighted taxation policy. He professed not to be fully aware of the emperor's motives, yet in a manner characteristic of his historical writing, he quoted an explanation that was circulating secretly at the time of these events.[66] According to the rumor, Michael VIII feared the population of Asia Minor after the pro-Laskarid peasant uprising in Bithynia in 1262. Whether as a precautionary measure or as punishment, he resolved to deprive them of their wealth.

As much as Pachymeres disliked taxation, he did not go as far as his contemporary Thomas Magistros, who, as we shall see in the following

[65] Pachymeres I.i, 291–93. The historian referred to these areas as the lands of the Maryandenoi, Boukellarioi, and Paphlagonians. One cannot assign a date to the events, which appear to refer to the policies of Michael VIII toward Asia Minor in general.

[66] Elsewhere Pachymeres also reported a rumor in order to offer interpretations which damaged the reputation of Michael VIII. According to him, rumor had it that Michael VIII was responsible for the assassination in September 1258 of the Mouzalon brothers. See Pachymeres I.i, 79.26–30.

chapter, formulated an ideological manifesto against the very practice of taxation. Rather, Pachymeres was dissatisfied with the way in which the imperial fiscal apparatus was administered by the first two Palaiologoi. Pachymeres had clear ideas about how taxation should function, and he also showed how it should not be used. Not surprisingly, the historian looked to the Nicaean period for a model tax-gathering emperor and found it in Theodore II Laskaris. When in autumn 1258 Michael Palaiologos gained access to the hoarded wealth of the Laskarids, he found, in addition to the treasury in Magnesia, another treasury kept in the fortress of Astritsios. As Pachymeres explained, Theodore II Laskaris abandoned the sound fiscal policies of his father and used public taxes (rather than revenues from crown estates) to build up the sizeable treasury in Astritsios. However, Pachymeres' overall assessment of Theodore II's taxation policies was positive, because the young emperor redistributed fairly the tax wealth among all his subjects:

> Theodore, even though he collected money more vigorously out of the public taxes, spent much greater sums with an untroubled mind; hence the ebbs and flows of money resembled those of the sea. For what was taken away was being compensated by what was easily added; and for the despoiled individuals, the loss of a resource signified the acquisition of a greater one, for *each subject* gave less on account of public taxation and acquired a greater amount than the one of which he was deprived, since *all* received [something] from the emperor.[67]

This statement is a concise articulation of the principle of fair redistribution of tax wealth. It makes little practical sense, especially if viewed as an actual description of taxation practices. It was impossible in reality for each and every subject to get a share of the collected tax wealth in a pre-modern society. Nor could each taxpayer receive a greater tax return than the tax paid without there being any losers in the process. Yet this statement makes much sense when placed in a historical and intellectual context. The historian implied that under Theodore II Laskaris taxation had been universal, most probably an allusion to his reformist anti-aristocratic policies and the confiscation of privileged land holdings. Universal taxation made it possible for him to redistribute the collected tax wealth "fairly" and for the benefit of the majority of the subjects. The idea of the emperor as benefactor of all

[67] Pachymeres I.i, 99.11–18 (emphasis added): Ὁ δέ γε Θεόδωρος εἰ καὶ δραστικώτερον ἐχρυσολόγει ἐκ τῶν κοινῶν συνδόσεων, ἀλλ' εἰς τὸ πολλαπλάσιον ἐξεκένου γνώμης ἁπλότητι, ἐξ ὧν ἀμπώτιδές τινες καὶ χαρύβδεις, ὡς ἐκεῖ τῆς θαλάσσης, ἐνταῦθα τῶν χρημάτων ἐδείκνυντο· τὸ γὰρ ἀφαιρούμενον ἐπληροῦτο πάλιν ἐκ τοῦ ῥᾳδίως προσγιγνομένου, καὶ ἦν ἡ τοῦ ὄντος ἀφαίρεσις τοῦ προσγιγνομένου τοῖς ἀφαιρεθεῖσι πρόσθεσις πλείων, ἑκάστου μεῖον μὲν συνδιδόντος διὰ τὴν κοινὴν εἴσπραξιν, πλέον δ' ἔχοντος οὗπερ ἀφῄρηται ἐκ τοῦ πάντας ἐκ βασιλέως ἔχειν. In the next sentence Pachymeres praised Theodore II Laskaris for his generosity to his subjects.

subjects – and not a dispenser of individual privilege for the benefit of the few – figures prominently in court literature (imperial panegyrics and mirrors of princes).[68] Therefore Pachymeres' idealization of the fiscal practices of Theodore II Laskaris is closely related to the rhetorical idea of imperial generosity as benefiting all subjects. For Pachymeres the ideal of universal generosity was the antithesis to the system of privilege.

Here, as nowhere else in Pachymeres' *History*, it is possible to see how the historian projected onto the Nicaean past his own wishful thinking and ideals. Theodore II Laskaris himself would have been much surprised to read this later interpretation of his policies. As we have seen, his main ideological and practical interests lay in establishing a new service elite consisting of his "friends," who were bound to him by personal links of dependence and received economic privilege. One of the most notable features of his political thought is his advocacy of a personal, quasi-feudal model of power in lieu of a public, institutional one.[69] Yet Theodore II's political treatise never circulated widely after his death in 1258. With the passage of time it became possible for Pachymeres to turn Theodore II's policies into a model for public taxation and fair tax redistribution. The historian apparently admired a public taxation system in which the taxpayers recovered the money they had turned in to the state and even made a profit. For Pachymeres, good taxation resembled an interest-bearing loan from the subjects to the state. The worst form of taxation was that in which a privileged social group skimmed off public wealth for their own individual benefit. And Pachymeres knew well which this group was. A number of passages from his *History* will uncover his reasoning for us.

Unlike the twelfth-century critics of the Komnenoi, Pachymeres did not condemn the Palaiologan clan for appropriating public wealth. In fact, he acknowledged the entitlement of the imperial family to high court titles and fiscal privilege, a situation which had been established for two centuries. He presented a laudatory portrait of the Despot John Palaiologos, brother of Michael VIII, despite his enormous *pronoiai* consisting of the entire islands of Lesbos and Rhodes.[70] He described without any note of criticism the enormous *pronoiai* and flocks belonging to Constantine

68 Chapter 4, pp. 135–36, chapter 6, p. 194, and chapter 9, p. 303 (the ideas of Thomas Magistros).

69 Chapter 7, pp. 224–26.

70 Pachymeres I.i, 285–91; I.ii, 417.7–9. Pachymeres liked him so much because, as a general in Asia Minor, he managed to repel the Turkish attacks, while after his death (1273/74) the Turks ran into no serious resistance. See Pachymeres I.ii, 591.27–28.

the Porphyrogennetos, Andronikos II's brother. He admired Constantine's generosity and hinted that Andronikos II's envy was the real reason for his conviction and sentence to life imprisonment on trumped-up charges in 1294.[71] No Palaiologoi other than the two emperors were targets of Pachymeres' criticism.[72] The historian disliked a lower, but nevertheless important, tier in the political elite to which the Palaiologoi gave free rein to appropriate public tax wealth. Part of this elite consisted of local administrators and tax officials in Asia Minor during the reigns of both Michael VIII and Andronikos II. They delayed paying soldiers their salaries and, after military victories, took for themselves the lion's share of captured booty.[73] According to Pachymeres, the rapacious agents of the fisc in Asia Minor during the reign of Michael VIII lacked the integrity of Nicaean tax officials, who had tended to belong to the ranks of the high aristocracy and had always turned in to the fisc all the taxes they collected.[74]

Herein lay the chief difference between the Nicaean and the Palaiologan administrations. The historian contrasted the practice of tax collecting in Nicaea to that of tax farming under the Palaiologoi. The main culprits in this transformation were Andronikos II's ministers, who turned the sale of offices and tax farming into a widespread practice. Describing events of the year 1295, Pachymeres noted:

> The affairs of the Roman state turned completely for the worse. An "undue advantage" has come to exist in our time that many [offices] are sold by the imperial ministers for pay or gifts. This practice has begun to cut off [access to] honors

71 See Pachymeres II.iii, 171–181, esp. 175.24–35, 181.1–14.

72 A Palaiologina, however, became his target. Pachymeres blamed the manipulative older sister of Michael VIII, Eulogia Palaiologina Kantakouzene, for inciting her brother to blind John IV Laskaris and for falsely accusing the *parakoimomenos* John Makrenos of conspiring against the emperor. See Pachymeres I.i, 181.10–12, 225.12–16, 275–77.

73 Pachymeres I.i, 35.3–6 (delay of salaries and appropriation of booty); II.iii, 235.16–19 (delay of salaries). The comment on the distribution of booty is particularly interesting. According to Constantine Harmenopoulos, the fisc was to retain one sixth of the booty. The rest was to be divided *equally* among the soldiers and their commanders. See *Hexabiblos* 2,6,5, ed. Pitsakes, 147. By contrast, Pseudo-Kodinos, 251, speaks of the emperor retaining one fifth of the booty. The imperial propaganda of Andronikos II made much of the emperor's just distribution of captured booty to soldiers. See Lampenos, *Encomium*, 44, 48.

74 Pachymeres I.i, 293.4–7. One of the "good" Nicaean tax officials was the grand domestic Andronikos Palaiologos, Michael VIII's father. Another was a certain caesar, Romanos. According to Albert Failler, Pachymeres refers here to the tenth-century emperor Romanos Lakapenos (920–944), who held the court title of caesar before acceding to the imperial throne. It seems more likely to me that the historian had in mind an otherwise unknown dignitary in the Nicaean empire, as Michael Angold has hypothesized. See M. Angold, *A Byzantine Government in Exile: Government and Society under the Laskarids of Nicaea (1204–1261)* (Oxford, 1974), 210.

from many reputable men suitable for office (εἰς ἀρχὴν εὐδόκιμοι) who either do not consent to pay or are not able to do so – inasmuch as this [practice] has begun to affect above all those who do not hesitate to receive, and this [very practice] has begun to empower others who offer gifts with the hope of making a profit.[75]

Further, Pachymeres continued by criticizing the officials in Asia Minor who delayed paying soldiers their salaries and by blaming Andronikos II for his unwillingness to punish corrupt officials – an attitude that caused much harm to the empire. The commentary by Pachymeres suggests that the sale of offices became a common occurrence early in the reign of Andronikos II. It is apparent that the historian referred here to the sale of offices as well as specifically to tax farming, for he emphasized that the purchaser hoped to make a profit.

What is more interesting is Pachymeres' evaluation of this phenomenon. He was not interested in the economic rationale of Andronikos II's government for resorting to tax farming. For him, it was just another socially disastrous tax policy of the Palaiologoi. The tax-farmer was a sort of entrepreneur who used the "public" tax apparatus to extort wealth from the subjects and also paid bribes to the imperial ministers who auctioned the taxes. The historian did not blame any specific individuals, although he left sufficient clues elsewhere in the text to allow us to identify some of the culprits he had in mind. The expression "imperial ministers" (*mesiteuontes*), which Pachymeres used to describe the imperial officials receiving "pay and gifts," suggests that the prime minister (*mesazon*) may have been an object of criticism.[76] In the period 1294 to about 1305 Andronikos II's prime minister was Nikephoros Choumnos, about whom Pachymeres elsewhere wrote that he had become very rich.[77] In fact Choumnos himself admitted in his correspondence that imperial ministers (*mesiteuontes*) working below him took big bribes, but he excused himself by noting that he took much

[75] Pachymeres II.iii, 235.11–16: τὰ δὲ τῆς Ῥωμαΐδος ἐξησθενήκει τέλεον. Πλεονέκτημα γὰρ παρ' ἡμῖν ἐγένετο τοὺς παρόντας χρόνους μισθοῦ τοῖς μεσιτεύοσι καὶ λημμάτων τὰ πολλὰ πράττεσθαι. Τοῦτο πολλοῖς μὲν τοῖς εἰς ἀρχὴν εὐδοκίμοις, ἢ μὴ καταδεχομένοις καταβάλλειν – πολλῷ γὰρ οὐχ ἥκιστα τοῦτο, ὅσῳ καὶ ἀξιοῦσι λαμβάνειν –, ἢ μὴ δυναμένοις ἴσως, ἐκόλουε τὰς τιμάς, ἄλλοις δὲ παρρησίαν ἐδίδου διδοῦσιν, ὡς ἕξειν ἐλπίζουσι. My English translation differs from the French one by Failler. I have preferred to translate the word πράττω here as "to sell" rather than "to do." The genitive of price (μισθοῦ, λημμάτων) and the sense of the following sentence make this translation more likely.

[76] Pachymeres uses a similar expression (μεσίτης or μεσιτεία τῶν κοινῶν) to refer to the office of imperial prime minister (*mesazon*). See Pachymeres I.ii, 625.20, 627.6; II.iii, 215.18. Gregoras I, 170.10–12, 271.2–4, refers to the *mesazon* by simultaneously using the words μεσιτεύων and παραδυναστεύων. For the terminology used in reference to the Byzantine prime minister, see H.-G. Beck, "Der byzantinische 'Ministerpräsident'," BZ, 48 (1955), 309–38.

[77] Pachymeres II.iv, 557.

less than the rest.[78] Theodore Metochites, who occupied the position of *mesazon* after 1305 (i.e., at the time Pachymeres was completing his *History*), is also known to have sanctioned the sale of offices and tax farming.[79] Pachymeres saw in this governmental practice the emergence of a new elite whose fortunes were connected with the public tax apparatus. This elite completely replaced the honest and able officials who had served the Nicaean emperors.

The ideals that Pachymeres pitted against the government of Andronikos II were the reforms of Theodore II Laskaris. For Pachymeres, Theodore II Laskaris was a political visionary who promoted the very same "men of good repute" who – due to the sale of offices – found themselves excluded from serving in the imperial administration during Andronikos II's reign:

He [Theodore II Laskaris] was the kind of ruler who seemed heavy-handed toward officialdom, since he selected functionaries and rewarded them with the appropriate dignity not on the basis of nobility and kinship by marriage with the imperial family, but according to merit. But he considered that for his own relatives and kinsmen this [blood relationship] was enough and sufficed as ground for dignity. *This policy was, upon close scrutiny, the deed of a ruler who fosters virtue and incites his subjects toward good repute* (εὐδοκίμησις).[80]

It is clear that Pachymeres idealized the Nicaean past, presented it as a missed historical opportunity and sought to remind his contemporaries that imperial administration could be conducted differently – and that in fact it had once been conducted differently. The rise of the Palaiologoi led to the emergence of a new elite consisting of officials in the provinces and in the capital, who abused the tax system of the empire. The historian saw crown finances as the alternative to the rapacious tax practices in his own time and considered, in a utopian way, the best kind of taxation to be the one in which the tax refund ("the acts of imperial generosity") equaled and even exceeded the tax paid. Thus tax-payers could retain their own wealth.

[78] J. Boissonade, *Anecdota nova* (Paris, 1844; repr. Hildesheim, 1962), no. 156, 178–79. Choumnos addressed this letter to an anonymous opponent who accused him of venality.

[79] Gregoras described how at the beginning of the First Civil War Kantakouzenos and Syrgiannes bought all the governorships in Thrace from the παραδυναστεύοντες, implying that the *mesazon* Metochites was involved as well. After Metochites fell from power at the end of his reign, the populace of Constantinople burned his luxurious residence because he bought it with embezzled tax money. See Gregoras I, 302, 425–26. Cf. I. Ševčenko, "Theodore Metochites, the Chora, and the Intellectual Trends of His Time," in P. Underwood (ed.), *The Kariye Djami*, vol. 4 (New York, 1975), 28.

[80] Pachymeres I.i, 61.6–11 (emphasis added): τοιοῦτος δ' ὤν, βαρὺς ἔδοξε τοῖς ἐν τέλει, ὅτι, οὐ κατ' εὐγένειαν καὶ κῆδος βασιλικόν, ἀλλ' ἀριστίνδην τοὺς ἐπὶ τῶν πραγμάτων ἐκλεγόμενος, τοῖς προσήκουσιν ἐσέμνυνεν ἀξιώμασιν· οἷς δὲ συνέβαινε προσγενέσιν εἶναι καὶ οἱ πρὸς αἵματος, ἀρκεῖν ἔκρινε τὸ τοιοῦτον καὶ ἱκανὸν εἰς λόγον σεμνώματος. Τὸ δ' ἦν, εἰ σκοποίη τις, ἀρετὴν ὀφέλλοντος ἄρχοντος καὶ παρακαλοῦντος πρὸς εὐδοκίμησιν τὸ ὑπήκοον.

Pachymeres' historical reasoning along socioeconomic lines is unique among the historians of the Palaiologan period. Gregoras, who also reported the over-taxation of Asia Minor during Michael VIII's reign, never explored the issue any further.[81] There is no doubt that Pachymeres put his finger on an important problem of contemporary society, and his reasoning parallels the interpretations presented by his contemporary Thomas Magistros, who likewise favored reliance on crown wealth.[82] A response to Pachymeres' criticism may be found in the *History* of Gregoras, who was a protégé of Theodore Metochites and, as we noted, an apologist for Andronikos II's regime. Describing the pre-history of the First Civil War (1321–28), Gregoras noted that Andronikos II had increased taxation and resorted to tax-farming in order to increase the imperial budget to ten million *hyperpyra*.[83] And Gregoras explained that tax farming, while unjust in principle, was not at all "unwise" when viewed in the context of the troubled times in which he was living.[84] This attempt to use extenuating circumstances to justify rapacious tax practices seems weak and inadequate in the face of Pachymeres' vigorous critique and economic explanation of Byzantium's decline.

In the late fourteenth century George of Pelagonia used a different point of departure in his critique of the Palaiologoi. Writing in a period when the Palaiologoi had ruled the empire for more than a century, he viewed the emperor as the holder of an elective public office which the current dynasty had illegitimately turned into a hereditary one. Criticism of hereditary succession, which scholars have not observed in earlier periods, is a development unique to the Palaiologan era, when the ruling dynasty seemed firmly established on the throne. In order to understand the critique by George of Pelagonia, we need to remind ourselves of late Byzantine succession practices and rhetorical theories of imperial succession. The Palaiologan period began with the election of Michael VIII as regent in the constitutional

[81] Gregoras I, 138.9–14. [82] Chapter 9, 299.

[83] Gregoras I, 317–318. The historian explicitly mentioned tax farming. According to Gregoras, Andronikos II resorted to increasing taxes in order to rebuild the fleet and create a standing army. On these policies cf. Laiou, *Constantinople and the Latins*, 246–47.

[84] Gregoras I, 317.2–9: "Since . . . all plans and devices, both his own and those involving allies, were condemned by God to accomplishing absolutely nothing for the emperor, he turned to another approach, which is unsound on a truthful and just ground, yet with respect to a time of such violence and antagonism was not entirely too unreasonable. For he decided to raise the yearly taxes levied on the subjects." ('Επεί . . . πᾶσαι μηχαναὶ καὶ παλάμαι γνήσιαί τε καὶ συμμαχικαὶ τῷ βασιλεῖ θεόθεν παντάπασιν ἠλέγχθησαν οὖσαι μηδέν, ἑτέραν ἐτράπετο, σφαλερὰν μὲν κατά γε τὸν ἀληθῆ καὶ δίκαιον λόγον· πρὸς δὲ οὕτω βίαιον καὶ ἀνταγωνιστὴν χρόνον, οὐ πάνυ τοι σφόδρα ἀσύνετον. ἔγνω γὰρ τοὺς ἐτησίους τῶν ὑπηκόων αὐξῆσαι φόρους.) Further on Gregoras speaks explicitly of tax farming as a method of maximizing the tax revenue.

arrangements of 1258. While Nicaean imperial propaganda never spoke of imperial elections, the court rhetoricians of Michael VIII and Andronikos II floated the idea of election as a legitimate mechanism for succession. As late as 1353, in his imperial panegyric Nicholas Kabasilas spoke of the election of emperor Matthew I Kantakouzenos (1353–57).[85] These rhetorical interpretations sought to place a legitimizing veneer on a fait accompli. Moreover, they presented election as only one of the factors of imperial legitimacy, the main one being imperial pedigree and descent from a long line of emperors.

George of Pelagonia took seriously the ideas of imperial election. It is important to observe that he was not the only late Byzantine author to find fault with contemporary succession practices. The historian Nikephoros Gregoras voiced criticism of the policy of the Palaiologan emperors of crowning their sons as co-emperors. In the first book of his *History*, which he began to write during or shortly after the First Civil War, Gregoras pointed out that the Palaiologan system of succession was fraught with hidden dangers.[86] He attributed the decision of John III Vatatzes not to crown his son Theodore II Laskaris as co-emperor to the father's fear that his son would not wait for his death and would rebel, as had happened in the 1320s. According to Gregoras, the wise Vatatzes had arranged that on his death the army and the high aristocracy would gather to elect by their "free volition" (*hekousios gnome*) his son as emperor.[87] In another passage Gregoras implied that the excessive desire of the Palaiologoi to ensure succession for their sons caused harm to the empire. After describing the sorry end of the Union of Lyons, Gregoras reported that some people had offered a curious explanation as to why Michael VIII had embarked on unionist policies. According to them, he was motivated to conclude the Union by his desire to bequeath the imperial office to his offspring. Despite his father's concern, Andronikos II showed no gratitude to him and deprived him of a proper Christian burial, because he sought to ingratiate himself with the anti-unionist party. Gregoras expressed his strong opinion on this matter: "For me, a wise and intelligent administrator would be the person who chooses the best things first for himself and then for his sons and

[85] Chapter 3, p. 132.

[86] J.-L. van Dieten, *Nikephoros Gregoras. Rhomäische Geschichte*, vol. 1 (Stuttgart, 1973), 38, has established that Gregoras began writing his *History* before 1337. In fact, he may have already begun writing during the First Civil War, because he opened it with a speech by Andronikos II (d. 1332) directed against his calumniators.

[87] Gregoras I, 53–55. This commentary ran contrary to historical truth. Theodore II enjoyed official co-authority with his father before the latter's death. See chapter 3, p. 117 and n. 7.

relatives."[88] Gregoras further noted that although Michael VIII was an intelligent ruler, he was weak in his excessive affection for his children. Meditating philosophically on the issue, Gregoras quoted Plato, his favorite classical philosopher: "The eye of love is blind where the beloved is concerned."[89] It is apparent that Gregoras' reasoning reflects the historical experience of the rebellion of Andronikos III against his grandfather Andronikos II, whose side Gregoras took during the First Civil War.

Unlike Gregoras' philosophical considerations, the reasoning of George of Pelagonia was entirely political. The target of his critique emerges in the very introduction to his panegyrical biography. Here the author noted that Vatatzes surpassed both the current emperors and those who ruled before them, thus suggesting that he was embarking on a collective critique of the entire Palaiologan dynasty.[90] His criticism most often took the form of direct jibes at the Palaiologoi which he interjected into the laudatory discourse. The Palaiologoi were no emperors, but "slaves to their passions, cowards and fools" who preferred a life of luxury to campaigning.[91] Their vanity made them marry foreign princesses and marry off their daughters to foreign rulers. By contrast, Theodore I Laskaris had chosen a Byzantine bridegroom (Vatatzes) for his daughter.[92] The subjects of the Palaiologoi emulated their incompetent emperors, ceased to practice military exercises and lost completely their warrior spirit.[93] The soldiers were good-for-nothings who preferred an easy life and plundered the properties of their compatriots.[94] George of Pelagonia made a few subtle allusions to contemporary events. He hinted at the unfruitful trip of John V to Rome (1369–71) in his description of how Vatatzes' father and uncle, who were fleeing the tyrant Andronikos I (1183–85), listened to "a silly counsel" and sailed off to Rome to seek the pope's help. On their way to Rome,

[88] Gregoras I, 154.2–10: εἶχε δὲ καί, ὥς τινες ἔφασαν, συντριβήν τινα λογισμῶν κεντοῦσαν ἀεὶ τὸ συνειδὸς τῆς ψυχῆς διὰ τὴν καινοτομίαν τοῦ δόγματος, εἰς ἣν ὑπὲρ τῆς ἐς τοὺς παῖδας διαδοχῆς τῆς βασιλείας ἑαυτὸν κατήνεγκεν· ἀφ' ὧν, ὡς τὸ εἰκός, αὐτὸς ἀπώνατο μηδὲ ταφῆς τελευταῖον ἀξιωθῆναι βασιλικῆς, τοὺς τῆς ἐκκλησίας θεσμοὺς τῆς πατρικῆς στοργῆς πολλῷ προτιμώντων. Ἐμοιγ' οὖν ἐκεῖνος ἂν εἴη σοφὸς καὶ φρόνιμος οἰκονόμος, ὅστις ἑαυτοῦ γε εἵνεκα πρῶτον αἱροῖτο τὰ βέλτιστα, ἔπειτα τῶν υἱέων καὶ ὅστις καθ' αἷμα προσήκει. On Michael VIII and the Union, See Gregoras I, 124–25.

[89] Gregoras I, 154.18–23. Plato, *Laws*, 731e.

[90] After describing the current rulers as an incompetent lot, he noted that those before them were no different. See Heisenberg, BZ, 14, 194.23–24: τοὺς μὲν οὖν νῦν ὄντας, ἤδη δὲ καὶ τοὺς πρὸ αὐτῶν τῷ χρόνῳ, τοιούτους πάντας ἐξετάζων εὑρίσκω.

[91] Ibid., 194.14–19, 195.25–31, 200.25–26, 224.32–225.2, 229.34–330.2.

[92] Ibid., 212.3–20. George of Pelagonia tendentiously forgot to mention that Vatatzes himself gave his son Theodore II a Bulgarian bride, Helena Asanina. The second wife of Vatatzes was the Latin princess Anna-Constance of Hohenstaufen.

[93] Ibid., 210.20–25. Cf. ibid., 199.16–20, where the author blamed his contemporaries for their immoral conduct.

[94] Ibid., 228.1–229.33.

they stopped on the island of Crete and were blinded.[95] The author praised Vatatzes for having pacified cities whose populace was rebelling, a reference to the urban upheavals of the fourteenth century and perhaps the Zealot movement in Thessaloniki.[96]

The main theme of George of Pelagonia's critique becomes evident from the opening of his biography. Here he noted that he was offering to his audience a model ruler, and he pointed out explicitly that Vatatzes surpassed the current emperors because he did not acquire the imperial office from his father. The biographer lashed out at the imperial princes of the Palaiologan dynasty by making a scorching generalization: "For the most part sons of emperors turn absolutely bad in their character, spoiled by luxury, ignoble flattery, empty conceit, narrow-minded weakness of character and most shameful sloth." Therefore, he added, they are of no use to their subjects.[97] The author then referred to the authority of his favorite classical philosopher, Plato, who had also criticized the sons of kings.[98] And George of Pelagonia knew well what the alternative was: a return to the principle of elective imperial succession, which was how Vatatzes had acceded to the imperial office. Hereditary succession was nothing but a bad and unjust custom:

> Many people admire emperors born from emperors because they are noble and draw the fame of their family from a long time ago. I believe in the exact opposite. For me, the emperor who inherits the imperial office from his father, *because of a preposterous custom which governs such matters* [of succession], is not an admirable individual. It has already happened that many emperors have acquired their office by merit and then passed it on as an inheritance to their inferior sons, an office which was in no way suitable for them, because they were uncouth, undisciplined, uneducated, cowardly, unmanly and overpowered by foolish passions, as it has been said before. Thus the praiseworthy emperor is not the one who inherits power from his father. Rather it is the one who has proved himself worthy of the imperial office first as a private individual and then has come to occupy it in a just manner – elevated to power by the just judgment of the electors, not by usurping it in a tyrannical fashion.[99]

[95] Ibid., 205.19–21. [96] Ibid., 230.10–14.

[97] Ibid., 196.19–23: ὡς ἐπὶ τὸ πλεῖστον γὰρ οἱ τῶν βασιλέων υἱεῖς φαῦλοί τινες τὸν τρόπον ἀτεχνῶς ἀποβαίνουσιν, ὑπὸ τρυφῆς διεφθαρμένοι καὶ κολακείας ἀγενοῦς καὶ ὄγκου κενοῦ καὶ μαλακίας ἀνελευθέρου καὶ βλακίας αἰσχίστης, ἐξ ὧν εἰς οὐδέν εἰσι χρήσιμοι τοῖς χρωμένοις οὐδὲ τοῖς ὑπηκόοις ὠφέλιμοι.

[98] The reference is to Plato, *Gorgias*, 492b. Cf. A. Heisenberg's critical apparatus: BZ, 14, 196.24.

[99] Ibid., 197.9–21 (emphasis added): οἱ μὲν οὖν πολλοὶ θαυμάζουσι τοὺς ἐκ βασιλέων βασιλέας ὡς εὖ γεγονότας καὶ πόρρωθεν σχόντας τὴν τοῦ γένους λαμπρότητα. ἐμοὶ δὲ τοὐναντίον ἅπαν δοκεῖ· οὐ γὰρ ὅστις πατρικὴν διεδέξατο βασιλείαν, ἀτόπου συνηθείας περὶ τὰ τοιαῦτα κρατούσης, οὗτος ἐμοὶ θαυμαστός· πολλοῖς γὰρ ἤδη συμβέβηκεν αὐτοῖς τε παρ' ἀξίαν ἐπιλαβέσθαι τοῦ σχήματος καὶ τοῖς υἱέσι χείροσι γεγονόσιν ὡς κλῆρον καταλιπεῖν, πρᾶγμα μηδὲν σφίσι προσῆκον, ὡς ἀρρύθμοις καὶ ἀτάκτοις καὶ ἀπαιδεύτοις καὶ δειλοῖς καὶ ἀνάνδροις καὶ ὑφ' ἡδονῶν

Vatatzes was the personification of the ideal of the elected emperor. He was "a private individual born in a family of private individuals," who lived in the city of Adrianople.[100] George of Pelagonia described in some detail the way in which he imagined Vatatzes to have been elected, although the author ran into visible difficulty in his effort to develop an electoral system. He wrote that all men of power at the time had convened to elect Vatatzes: the emperor Theodore I Laskaris, whose daughter Vatatzes married, generals, the entire army, officials, the representatives of the urban population, and ecclesiastics.[101] In another section of the introduction the author referred to the electors as "the people and those empowered to elect men worthy of the imperial office."[102] Here he noted that even if these electors had not picked Vatatzes on account of their folly, Vatatzes would still have been a more honorable private individual than those emperors who succeeded their fathers on the throne. All this was said in the introduction to the *vita*-panegyric. In the actual biographical account the author made no reference to election, but instead wrote that Theodore I Laskaris selected Vatatzes as his successor and gave him his daughter in marriage.[103] In addition, George of Pelagonia cited examples of illegitimate imperial elections. Thus Andronikos I Komnenos, the emperor-tyrant who persecuted Vatatzes' father and grandfather, came to power through "election by certain imposters and ungodly people."[104] Nonetheless, hereditary succession was the worst method of acquiring the imperial office. Thus the Angeloi emperors (1185–1204), though members of the same dynasty, paid no attention to family loyalties and treated their relatives cruelly.[105]

It is clear that when George of Pelagonia presented imperial election as an alternative to hereditary succession, he was thinking in terms of an ideological paradigm. He did not propose nor was he aware of institutional or legal mechanisms for such elections, because such mechanisms did not exist in reality. Yet it is noteworthy that the author conceived seriously of imperial elections and considered them to be a way of breaking the chain

κρατουμένοις ἀτόπων, ὡς καὶ πρὶν εἴρηταί μοι. οὐκοῦν οὐχ ὁ παρὰ πατρὸς διαδεξάμενος τὴν ἀρχὴν οὗτος ἐπαινετός, ἀλλ' ὃς ἰδιώτης ὢν ἔπειτ' ἄξιον ἑαυτὸν ἀποδείξας τοῦ σχήματος εἰς τοῦθ' ἧκεν ὥσπερ ἦν δίκαιον, εὐθύτητι διανοίας τῶν δεδωκότων τὰς ψήφους ἐπὶ τὴν ἀρχὴν αἱρεθείς, ἀλλ' οὐ τυραννικῶς εἰσκωμάσας.

100 Ibid., 197.30–31: ἐξ ἰδιωτῶν μὲν γεγονὼς ἰδιώτης. Here George of Pelagonia did not follow Akropolites, who wrote that Vatatzes came from the city of Didymoteichos in Thrace and was a *protovestiarites* (high-standing member of the imperial guard) before marrying Theodore I's daughter. See Akropolites I, 26. *Synopsis Chronike*, MB, vol. 7, 462, calls his title *protovestiarios*.

101 Heisenberg, BZ, 14, 196.32–197.6.

102 Ibid., 197.23–24: ἀλογίᾳ δήμου καὶ τῶν ἐχόντων αἱρεῖσθαι τοὺς βασιλείας ἀξίους.

103 Ibid., 209–11.

104 Ibid., 202.37–38: κωμαστῶν τινων ψήφῳ καὶ βεβήλων ἀνθρώπων.

105 Ibid., 206.32–207.13.

of succession among the Palaiologan emperors. His views were potentially revolutionary, for they amounted to a call for dethroning the ruling dynasty. As in the case of Pachymeres, George of Pelagonia based his criticism on notions of public power and viewed the emperor as the occupant of a public office. The emperor's office was not restricted to a single family, but was open to those who were legitimately elected, and, if we add Pachymeres' views, its function was to administer the public tax wealth for the benefit of all subjects.

The critique of the Palaiologoi by George Pachymeres and George of Pelagonia shows a side of late Byzantine political thought that differs significantly in tone and conceptual categories from the *Kaiseridee*. The fourteenth-century *Kaiserkritik*, like that of the twelfth-century, attacked the very heart of imperial autocracy and used notions of public power to back up its arguments. Still, some differences stand out. The late Byzantine historians-critics did not denounce the power concentrated in the hands of the emperor's relatives, as Zonaras and Choniates had done in the twelfth century in their critique of the Komnenian clan. By contrast, the fourteenth-century authors recognized the entitlement of the imperial relatives to court titles and fiscal privilege. The Komnenian reform of the court hierarchy seems to have become accepted as legitimate by the historians. The Palaiologoi became the target of a different line of attack. They were reminded that their power over the empire's tax apparatus was not unlimited, and that they had the duty to preserve and increase the wealth of their subjects. They were also reminded that the imperial office in Byzantium was never meant to belong to a single family. To be sure, the Palaiologoi held a tight grip on the imperial office. When John VI Kantakouzenos was elevated to the imperial throne during the Second Civil War, he ruled in the name of the legitimate Palaiologan co-emperor, John V. Subsequently, in his memoirs, he took pains to defend the legitimacy of the Palaiologan dynasty.[106] Yet evidently Kantakouzenos was responding to, or at least tried to avoid, a radical current of resistance against the Palaiologoi. The principle of dynastic succession had not become fully entrenched in Byzantium by the second half of the fourteenth century. Radical opponents to the Palaiologan regime availed themselves of old ideas of the openness of the imperial office and could – and did – readily advocate the overthrow of the ruling dynasty.

106 Cf. Dölger, "Johannes VI. Kantakouzenos als dynastischer Legitimist".

CHAPTER 9

The controversy on imperial taxation

One of the themes that stirred up the minds of political authors and became a subject of lively debate was imperial taxation. In the story of late Byzantine political thought the debate on taxation deserves special treatment. The literati who discussed imperial finances put forth striking and sometimes radical proposals. They disagreed about almost every single aspect of taxation: the amount of taxes gathered, specific fiscal levies, and even the very practice of taxation. Cases of resistance to taxation during the period are known from historical accounts and other sources. More importantly, on two occasions opposing views on imperial taxation clashed and found expression in polemical or theoretical texts. The first conflict occurred in the middle of the thirteenth century and pitted against each other the emperor Theodore II Laskaris and his former tutor Nikephoros Blemmydes. The second exchange of rival views on taxation took place in the early fourteenth century, between Thomas Magistros and Andronikos II's prime minister, Theodore Metochites. These two disputes on taxation have not yet attracted full attention, and only recently have Magistros' ideas voiced in his didactic tract *On Kingship* been subject to scrutiny.[1]

We shall trace here the rival views on taxation expressed in the course of these two debates, the arguments on which these rival views rested, and the social interests which they represented. At the outset we shall look at some elements in the development of Byzantine taxation practices after 1204, for much of what the literati wrote and argued about was a response to the daily realities of imperial administration.[2] In addition, we shall probe historical and other texts for various attitudes to taxation which provide the background for theoretical discussion and debate on the subject.

[1] A. Laiou, "Le débat sur les droits du fisc et les droits régaliens au début du 14[e] siècle," REB, 58 (2000), 97–122.

[2] For a general overview of imperial finances in the period see D. Zakythinos, *Crise monétaire et crise économique à Byzance du XIIIe au XIVe siècle* (Athens, 1948), 78–105.

LATE BYZANTINE TAXATION: NEW TAXES AND NEW ATTITUDES

Late Byzantium was a tax-gathering state like the empire of the previous centuries. An elaborate fiscal apparatus was responsible for surveying the land and collecting taxes. The main taxes, as in earlier periods, were the land tax (*telos*) and a small hearth tax (*kapnikon*) payable by individual households.[3] There also were a number of supplementary taxes, such as levies on pastureland, grain requisitions by solders for which they paid a nominal price (*mitaton*), and various import and commercial duties. The imperial treasury derived income, too, from state monopolies, such as the monopoly over the production and sale of salt – an expensive and much desired product for everyday use.[4] The proceeds from crown estates also assisted state finances, especially during the Nicaean period, although under the Palaiologoi these private imperial estates appear to have declined in importance.[5] A steady influx of revenues into the fisc was required to maintain the defenses of the empire and to meet routine expenditure, such as paying the salaries of officials and soldiers. The ready availability of sufficient funds in the imperial treasury was crucial, but in the late Byzantine period that availability was compromised by several factors. It had become a common practice since the twelfth century to redistribute tax resources by delegating tax-collection rights to private individuals. Another common fiscal practice was to grant tax exemptions to the private properties of the aristocracy and monasteries as well as to Italian merchants. Furthermore, after 1204 the tax-paying base of the empire became much smaller than before because of the decrease in territory. All of these factors meant that the imperial administration faced substantial obstacles to gathering sufficient tax money to meet its everyday needs.

A solution to the new financial situation appears to have become the intensive exploitation of the small tax-paying base through various means. One was the introduction of new supplementary taxes and extraordinary, one-time levies. In the thirteenth century we find several new supplementary taxes. The most important among them were the so-called "three chapters" or "three public chapters" (*demosiaka kephalaia*): the fisc's right to confiscate all treasure troves discovered within the territory of the empire (*heuresis thesaurou*), a punitive confiscation of the properties of a murderer

[3] See A. Laiou-Thomadakis, *Peasant Society in the Late Byzantine Empire: A Social and Demographic Study* (Princeton, 1977), 180 ff. Even landless peasants had to pay the hearth tax.

[4] A. Laiou, "Salt," ODB, vol. 3, 1832–33.

[5] Cf. N. Oikonomides, "The Role of the Byzantine State in the Economy," in A. Laiou (ed.), *The Economic History of Byzantium* (Washington, 2002), vol. 3, 1048–50. On the use of crown lands in Nicaea, see chapter 8, p. 272.

(*phonikon*), and a similar confiscation of the properties of a man guilty of having deflowered or raped a virgin (*parthenophthoria*).[6] The three "public chapters" are mentioned for the first time in an imperial charter dating to 1259, that is, at the very end of the Nicaean period, and references to them frequently recur in Palaiologan documents.[7] In addition to the three "public chapters," another new supplementary fiscal exaction was the *abiotikion*: the right of the fisc to confiscate the property of individuals who died childless or had no surviving children at the time of their passing.[8] The *abiotikion* must have been in effect in the empire of Nicaea, as a collection of chancery formularies copied in 1258 or 1259 mentions its existence.[9] This levy persisted into the Palaiologan period. It is important to observe that the new supplementary taxes established themselves by custom rather than by new legislation, and often ran contrary to the provisions of the law. For example, according to the Justinianic legislation and its middle and late Byzantine codification, the fisc could claim a legal title to only half of the value of treasure troves discovered in public lands; the person who found the treasure trove had the right to retain the other half provided that he notified the imperial authorities about his finding. Furthermore, the fisc had no right to keep any portion of treasure troves found in private lands.[10] Similarly, Byzantine law did not give the fisc any right over the properties of intestate individuals whose relatives were still living, even though the deceased individual might be childless. A tenth-century novel promulgated

[6] On these taxes, see C. Morrisson, "La découverte des trésors à l'époque byzantine: théorie et pratique de l'εὕρεσις θησαυροῦ," TM, 8 (1981), 321–43; M. Tourtoglou, *Παρθενοφθορία καὶ εὕρεσις θησαυροῦ. Βυζάντιον, τουρκοκρατία, μετεπαναστατικοὶ χρόνοι μέχρι καὶ τοῦ Καποδιστρίου* (Athens, 1963); Tourtoglou, *Τὸ φονικὸν καὶ ἡ ἀποζημίωσις τοῦ παθόντος* (Athens, 1960); Laiou, "Le débat sur les droits du fisc," 105–10. Tracing the development of *phonikon* and *parthenophthoria* Laiou has shown that the fisc took over rights which middle Byzantine legislation had given to individuals. *Phonikon* was collected in Epiros in the early thirteenth century, although the particular term was not used.

[7] On the designation "three chapters," see Michael VIII's chrysobull of 1259 to the monastery of Esphigmenou: Esphigmenou, Appendix A, l. 60: τὰ τρία κεφάλαια, τὸ φονικὸν δηλαδή, ἡ τῆς τοῦ θησαυροῦ εὕρεσις καὶ ἡ παρθενοφθορία (Dölger, *Regesten*, 1867a [*olim* 2078]). For the expression "three public chapters," see the inventory of the village of Mamitzon (1323): Chilandar, ed. Petit, no. 92, 198.147–48.

[8] A. Karpozilos, "Ἀβιωτίκιον," *Δωδώνη*, 8 (1979), 73–80, has shown that the fisc claimed inheritance of properties of anyone who died childless, not merely of those who died both intestate and without offspring. Laiou, "Le débat sur les droits du fisc," 105, has suggested on the basis of Magistros' testimony that the fisc confiscated the *entire* property of childless individuals.

[9] G. Ferrari dalla Spade, "Formulari notarili inediti dell'età byzantina," *Bullettino dell'Istituto Storico Italiano*, 33 (1913), 41 (date of the manuscript), 52–53 (formulary for the collection of *abiotikion*).

[10] Harmenopoulos, *Hexabiblos*, 2,6,4, ed. K. Pitsakes, 147; *Synopsis Minor*, IX,11, in Zepos, JGR, vol. 6, 414. The provisions in late Byzantine legal collections are derived from the tenth-century *Basilika* (56,2,3) which themselves refer back to the Digest of Justinian. Cf. Morrisson, "La découverte des trésors," 333, n. 81. In the tenth century the emperor Leo VI the Wise (885–911) confirmed the provisions of Justinianic law in one of his novels. See *Les Novelles de Léon VI le Sage*, ed. P. Noailles and A. Dain (Paris, 1944), novel 51, 197–99.

by Constantine VII Porphyrogennetos stated that the relatives were to keep two thirds of such properties; the remaining third was to be transferred to the church for the benefit of the deceased's soul.[11] As in the case of treasure troves, the claim of the imperial fisc to be the heir of individuals who died childless gradually came into existence in disregard of the law.

The fisc took pains to ensure the collection of these supplementary taxes and rarely relinquished its right over them. This imperial policy is clearly discernible in documents granting tax exemptions, which mention the three public chapters. In this case the fisc always retained its right to collect the public chapters, whereas it relinquished its title to other taxes, including the land tax.[12] An illustrative example is the extensive tax exemptions granted by Andronikos II in 1318 to the imperial *oikeios* George Troulenos. Troulenos possessed lands near Serres that had been given to him conditionally in the past as a *pronoia*; subsequently he petitioned the emperor to turn his *pronoia* into a hereditary property. In 1318 the emperor issued an imperial chrysobull, which made Troulenos' *pronoia* his private possession and granted him exemption from all taxes, except the supplementary levies on murder (*phonikon*) and on treasure troves (*heuresis thesaurou*). It was stated in the charter that all privileged individuals who, like Troulenos, had received tax exemptions on their properties by imperial chrysobulls (*chrysoboullatoi*) had to pay the supplementary levies.[13] Similarly, the privileges granted by Andronikos II to the city of Ioannina in 1319 made the urban classes exempt from all taxes except the levy on treasure troves.[14]

In addition to the supplementary taxes, the fisc after 1204 sometimes resorted to one-off, extraordinary levies as a way of meeting unanticipated expenditure. These levies provoked much negative reaction, and Thomas Magistros would pay special attention to them. During his brief reign (1254–58) Theodore II Laskaris launched a military reform: he increased the size of the army by recruiting native, Greek-speaking soldiers.[15] In

[11] Zepos, JGR, vol. 1, 235–38.

[12] Morrisson, "La découverte des trésors," 338 (table). Morrisson has also shown that after the Serbian conquests in the 1340s of extensive Byzantine territories, the new administration of Stephan IV Dušan (1331–55) generously granted exemption from the very same supplementary levies which the Byzantine emperors had claimed that it was their prerogative to collect.

[13] Guillou, *Ménécée*, no. 8, 53.17–20: ταῦτα γὰρ καὶ μόνα ὀφείλουσι ἀπαιτεῖσθαι ἐξ αὐτῶν, καθὼς καὶ ἐν πᾶσι κτήμασι καὶ αὐτοῖς τοῖς χρυσοβουλλάτοις ἐστὶ συνήθεια ἀπαιτεῖσθαι ταῦτα ὑπὲρ τῶν κοινῶν δουλειῶν καὶ τῆς κοινῆς χρήσεως (Dölger, Regesten, 2407).

[14] MM, vol. 5, 82.

[15] Akropolites I, 124.25–125.7, refers critically to Laskaris augmenting the army with soldiers lacking experience. Laskaris delayed payment of salaries to his Latin mercenaries. Pachymeres I.i, 79.18–24, attributed this initiative to Laskaris' minister, George Mouzalon. Cf. M. Angold, *A Byzantine Government in Exile: Government and Society under the Laskarids of Nicaea (1204–1261)* (Oxford, 1974), 185–86.

order to finance his larger army Laskaris appears to have increased taxes or imposed new ones, although specific information on the latter is absent. According to Pachymeres, Laskaris significantly raised public taxation during his reign.[16] Nikephoros Blemmydes, who, as we shall see, was critical of Laskaris' aggressive taxation policies, wrote in his autobiography that soldiers during his reign collected unjust levies from peasants living in the vicinity of his monastery in the Emathia region (near Ephesos). After Blemmydes raised his voice in protest, the soldiers planned to assassinate him, but he managed to frustrate their plans.[17] It is probable that Theodore II Laskaris frequently imposed forced sales of grain (*mitaton*) in order to ensure the provisioning of his army. Michael VIII Palaiologos, who rose to power on the crest of a wave of generosity and tax exemptions, took care to curb such forced sales and requisitions conducted by local military commanders.[18]

The disastrous reign of Andronikos II was a period in which fiscal demands for extra taxes multiplied. When Andronikos acceded to the throne in December 1282 he found the treasury bankrupt because of his father's wasteful financial policies. In an attempt to reduce the treasury deficit the government of Andronikos II resorted to several innovations, all of them with negative consequences. One strategy was to reduce or eliminate unnecessary expenditures – hence the short-sighted decision made in about 1285 to disband the imperial military fleet at a time when the navy was considered to be an expensive luxury. Another solution was tax farming, a practice which maximized the revenues brought into the fisc. The simplest way to replenish the treasury, however, was to impose a new, one-off tax. In 1283, early on in his reign, Andronikos imposed a special one-off levy to finance a naval campaign against Epiros. He required that one third of the yearly revenues produced by all of the *pronoiai* in the empire be turned to the fisc. As Pachymeres explains, this levy was not a burden for the *pronoia* holders, but it was for the peasants, who found themselves compelled to pay more taxes than usual. Thus, in practice, the emperor increased the land tax payable by dependent peasants.[19] In 1290 Andronikos II imposed this levy

[16] Pachymeres, I.i. 99, wrote that Laskaris collected public taxes more vigorously (δραστικώτερον) than his father.

[17] *Nicephori Blemmydae Autobiographia*, II, 81–82, ch. 79.7–11 and ch. 81. After the death of Theodore II Laskaris, disgruntled soldiers plotted to kill Blemmydes when he journeyed to Magnesia to take part in the assembly of September 1258 which elected Michael Palaiologos as the regent ruling during the minority of John IV Laskaris.

[18] L. Burgmann and P. Magdalino, "Michael VIII on Maladministration," *Fontes Minores*, vol. 6 (1984), 377–90. On the *mitaton*, see L. Maksimović, *The Byzantine Provincial Administration under the Palaiologoi* (Amsterdam, 1988), 157–59.

[19] Pachymeres II.iii, 81.10–15.

again, this time in the amount of one tenth of the revenues produced by all the *pronoiai* in the empire, in order to finance the Cretan soldiers stationed in Asia Minor.[20] In 1301, when Andronikos II invited a contingent of 8,000 Alan warriors to come to the empire's help, he imposed again a one-off levy on his subjects. This time, in addition to gathering taxes in cash, the tax-collectors confiscated horses and weapons which were granted to the Alans.[21] The most burdensome one-off tax introduced by Andronikos II was connected with the arrival of the Catalan Grand Company in 1304. Once on Byzantine territory the Catalans demanded to be paid the enormous sum of 300,000 *hyperpyra*. To procure this cash, Andronikos II imposed in 1305 a special levy in grain (*sitokrithon*), which was collected from the Balkan regions of the truncated empire. Although the price of grain was exorbitant at the time due to increased demand generated by the recently arrived Anatolian refugees, the imperial agents bought the foodstuffs at the regular price and then resold it at the current high price, thus making a substantial profit for the fisc.[22]

We must note at this point that the imperial government was not imposing the new taxes in an autocratic fashion, but after deliberations and consultations. Paradoxically, in the very period when taxation was on the rise and was becoming increasingly burdensome, the emperor's own authority to impose taxes was being diminished. Frequently during Andronikos II's reign the privy council of the emperor (*boule*), rather than the emperor himself, made the important decision to introduce taxes. According to Pachymeres, it was the emperor's privy council that decided in 1283 to impose the special tax on all the *pronoiai* of the empire. Andronikos II himself subsequently admitted that he would not have levied this tax had not his advisors resolved to do so.[23] Similarly the emperor's advisors made the decision to disband the fleet.[24] In 1307 the emperor's privy council decided to tax landowners in Asia Minor in order to secure money to be

[20] Ibid., 237.2–5. This 10 percent increase had also hit hard the dependent peasants of the *pronoia* holders and therefore amounted to a real increase in the basic land tax.

[21] Pachymeres II.iv, 337–39, esp. 339.11: ἐκ συνδοσιῶν κοινῶν. The much more detailed account of Gregoras (I, 205.14–21) refers both to a tax increase and to massive requisitioning of weapons and horses, despite the vocal complaints of those affected by these measures.

[22] Pachymeres II.iv, 539–541. Pachymeres reports that the imperial fiscal authorities again collected one third of the revenues of all *pronoiai*, this time *pronoiai* in the Balkans. The historian adds the illuminating detail that palace officials had not been paid salaries for years. Cf. Laiou, *Constantinople and the Latins*, 187–89.

[23] Pachymeres II.iii, 81.12–13: ἡ δὲ τῶν περὶ τὸν βασιλέα βουλὴ ἐκ κοινῆς συγκροτήσεως συλλέγεσθαι ἐδικαίου. One may assume that high officials in the emperor's service took part in the privy council – something which Pachymeres never specified.

[24] Pachymeres II.iii, 81.27 ff.

distributed as soldiers' salaries.[25] Furthermore, public meetings were held to ask the subjects to give their consent on matters of taxation and, in practice, to invite them to make voluntary contributions to the empty fisc. In summer 1305, after the Byzantine army was defeated by the Catalans at the battle of Apros (10 July 1305), a special assembly was convened in Constantinople to ask the residents of the capital to give donations to the fisc, so that Andronikos II and his son Michael IX would have enough funds at their disposal to wage war against the enemy at the gates of the capital.[26] Similar assemblies were convoked after the end of the Second Civil War (1341–47), at a time when the imperial fisc was empty. On three occasions – in the years 1347, 1348, and 1349 – representatives of all social groups in Byzantine society gathered in mass public meetings, held most probably at the Hippodrome, where voluntary donations to the fisc were deliberated, not always with a successful outcome.[27] Thus, even while the fisc was introducing new levies, the deep financial problems of the empire placed the emperor's subjects in a good position to negotiate taxation and demand that their views on the matter be heard.

TWO DEBATES ON TAXATION

Theodore II Laskaris and Nikephoros Blemmydes

The ruler's role in collecting and redistributing tax wealth became a central element in a number of theoretical discussions of kingship – a fact which enables us to see the effect of the financial problems of the empire after 1204 and also to discern the new rapacity of the fisc. Demetrios Chomatenos, for example, argued that the principal duty of the emperor, in addition to being a devoted general, was to collect revenues and redistribute them generously.[28] In the polemic between Nicaean and Epirote ecclesiastics during the 1220s, apologists for the Epirote emperor Theodore Komnenos Doukas claimed that he did not spare any money in his wars of reconquest.[29] Nikephoros Blemmydes opened his treatise on kingship with a statement

[25] Pachymeres II.iv, 681.5–6: ἐπεὶ ἔδοξε τῇ βουλῇ φόρους ἐκλέγειν ἐκ τῶν κτηματικῶν τοὺς συνηθεῖς. The grand *primmikerios* Kassianos was entrusted with collecting these taxes; he soon resigned from this task and plotted against Andronikos II.

[26] Ibid., 629.14–19.

[27] Kantakouzenos III, 34–40, 80; Gregoras II, 854–56. Cf. K.-P. Matschke, *Fortschritt und Reaktion in Byzanz in 14. Jahrhundert. Konstantinopel in der Bürgerkriegsperiode von 1341 bis 1354* (Berlin, 1971), 201–06.

[28] Chomatianos, no. 110, ed. Prinzing, 365–66.

[29] V. Vasil'evskii, "Epirotica saeculi XIII," VV, 3 (1896), no. 26, 289.33. This is the *pittakion* of the Balkan Greek bishops who convened in 1227 in Arta to sanction the coronation of Theodore Komnenos Doukas. Cf. G. Prinzing, "Die *Antigraphe* des Patriarchen Germanos II. an Erzbischof Demetrios Chomatenos von Ohrid und die Korrespondenz zum nikäisch-epirotischen Konflikt 1212–1233," *Rivista di studi bizantini e slavi*, 3 (1983) (= *Miscellanea Agostino Pertusi*, vol. 3), 49.

justifying the existence of imperial taxation, something unprecedented in the genre of mirror of princes. He argued that imperial taxation was a necessary institution because it served to preserve the integrity of the body politic.[30] In a theological treatise on the procession of the Holy Ghost, Theodore II Laskaris tried to convince his addressee, Nicholas, the Greek-speaking bishop of the southern Italian city of Croton, that the Byzantine emperor should preside over a unionist council, because he was supplying the necessary expenditures.[31]

In the 1250s imperial taxation policies became the focal point of a bitter dispute between Nikephoros Blemmydes and the emperor Theodore II Laskaris. This dispute was just one of the points of controversy in the broader philosophical and political polemic between Blemmydes and Laskaris which we have already examined. Our source on the exchange of opposing views on taxation is a long and informative letter which Theodore II Laskaris addressed to Blemmydes.[32] This letter dates to 1257 or 1258, because the author explicitly mentioned in it that the city of Dyrrachion had been incorporated into the empire, a result of the Nicaean–Epirote treaty and marriage alliance of September 1256.[33] Therefore the letter reflects the situation in the last two years of Laskaris' reign, when his anti-aristocratic reform was in full swing and when his policy of recruiting a new army had already been introduced. Theodore II Laskaris must have been thoroughly familiar with Blemmydes' views on taxation and privilege. A scholar, teacher, and pious monk, Nikephoros Blemmydes was also a man of the world. For a large period of his life he derived his income from landed estates attached to the monastery of Saint Gregory the Miracle-Worker near Ephesos, of which he was the abbot between about 1237 and 1249. In that time Blemmydes took pains to ensure that the monastery was well endowed with lands and dependent peasants.[34] When subsequently he founded his own monastery in the Emathia region, he

[30] Blemmydes, *Imperial Statue*, 44, ch. 1.

[31] H. Swete, *Theodorus Lascaris Junior de processione Spiritus Sancti* (London, 1875) 20.544–547. On Nicholas of Croton, see A. Dondaine, "Nicolas de Cotrone et les sources du 'Contra errores Graecorum' de Saint Thomas," *Divus Thomas*, 28 (1950), 313–40; Geanakoplos, *Michael VIII*, 177.

[32] *Theodori Ducae Lascaris Epistulae*, no. 44, 56–59.

[33] Ibid., 57.33. On Laskaris' reconquest of Dyrrachion in September 1256, see Akropolites I, 133.12–14, Pachymeres I.i, 45.15–16. Cf. D. Nicol, *The Despotate of Epiros* (Oxford, 1957), 159–60.

[34] *Theodori Ducae Lascaris Epistulae*, no. 107, 147–49 (Dölger, *Regesten*, 1823). See also *Theodori Ducae Lascaris Epistulae*, Appendix III: *Nicephori Epistulae*, no. 8, 298–99. In this letter to Theodore II Laskaris, Blemmydes attacked the injustices of an imperial *pinkernes* who demanded fiscal levies from certain Σάμιοι (peasants from the island of Samos?), who had formerly been dependents of

asked the emperor and the patriarch to bestow tax immunity on the landed estates of the new establishment.[35] In his mirror of princes, the *Imperial Statue*, Blemmydes made several comments concerning tax collection and tax redistribution. While admitting that taxation was necessary, he wrote that the emperor should avoid demanding excessive taxes and should not be greedy. Strikingly, Blemmydes also pointed out that the emperor did not possess any private property – an idea whose far-reaching implications are best understood when we remember that the Nicaean emperors maintained large agricultural estates attached to the crown.[36] In his view the emperor was a public official administering the wealth of the empire for the public benefit. Blemmydes held especially strong views as to how the emperor should redistribute the collected tax wealth. He argued that the ruler should not act generously on behalf of many individuals by granting small amounts to each recipient, but instead should give large grants to a few deserving people. These few worthy individuals should include the emperor's friends.[37] This particular view of Blemmydes is the exact opposite of that found in the mirrors of princes by Agapetos and Pseudo-Basil, namely that the emperor should be generous on behalf of all his subjects.[38] At the beginning of the fourteenth century Thomas Magistros would voice the same opinion as Agapetos the Deacon and Pseudo-Basil. In fact, the view of Blemmydes expressed in the *Imperial Statue* was the exact opposite of what he himself had stated in a versified panegyric of Vatatzes dating to 1237–39, where he praised the Nicaean emperor for being generous to many subjects.[39] Evidently Blemmydes articulated here a view of economic redistribution in keeping with the demands of the propagandist context and the ideal of universal imperial generosity, while in his mirror of princes he expressed his own conviction about the economic well-being of the few.

After Theodore II Laskaris' accession and coronation in 1254 Blemmydes was offered the patriarchal office left vacant at the death of Patriarch Manuel II (1243–54), but he declined it. Instead, he became an advisor to the young Nicaean ruler and was given the post of supervisor of all monasteries in the empire. As Blemmydes stated in his autobiography, he soon decided to retire from public life because he disagreed with official policies.[40] He tells

Blemmydes' monastery. M. Andreeva, *Ocherki po kul'ture vizantiiskago dvora v XIII veke* (Prague, 1927), 124, identifies the *pinkernes* as John Kantakouzenos, *doux* of the theme of Thrakesion in the 1240s.

[35] Dölger, *Regesten*, 1794. An entry in Laurent, *Regestes*, is missing.

[36] Blemmydes, *Imperial Statue*, 44, chs. 1–2 (τὸν δὲ μηκέτι μηδὲν ἴδιον ἔχοντα); 64, chs. 67, 72.

[37] Ibid., 64, ch. 70; 66, chs. 76–79 (example of Cyrus).

[38] See chapter 6, n. 59.

[39] *Nicephori Blemmydae curriculum vitae et carmina*, ed. A. Heisenberg (Leipzig, 1896), 107.217.

[40] *Nicephori Blemmydae Autobiographia*, II, 80, chs. 77 and 78.

us that he opposed Laskaris' decision to impose an ecclesiastical interdict over the whole of Epiros and defended an official tried unjustly at the imperial tribunal. As Laskaris' epilepsy became severe, Blemmydes accused the emperor of impiety and of having lost the favor of God, who had turned his back on him.[41] It is at the time of his withdrawal from the court that Blemmydes must have issued a verbal attack on Theodore II Laskaris' taxation policies. His point of disagreement can be gleaned from the emperor's letter of response. Blemmydes had counseled the young emperor not to use tax revenues for financing the army and instead to use the abundant wealth in the treasury – gold, precious stones, and silver. In addition, Blemmydes had been critical of the way in which Laskaris used public taxes to finance his army and had proposed that Laskaris relinquish the imperial prerogative with regard to certain landed proprietors.[42] The passage in question is cryptic, although it is clear from the context that the imperial prerogative in question was that of taxation: Laskaris responded by urging Blemmydes to pay his taxes.[43]

In his letter of response Theodore II Laskaris took pains to defend his newly recruited army and the use of tax money for its financing. He opened the letter by pointing out that the main duty of the emperor was to be a soldier and a general. According to Laskaris, John III Vatatzes had been a dedicated military commander, and as a consequence the empire at the time (that is, between 1256 and 1258) stretched all the way from the island of Rhodes in the Aegean to the city of Dyrrachion on the Adriatic coast. Laskaris asked Blemmydes rhetorically whether or not the empire needed such a successful and conquering army. He then referred to his own military policies that were aimed at creating such an army. According to Laskaris, only a Hellenic army without any Latin, Turkish, Bulgarian, or Serbian mercenaries would be able to defend the empire successfully, for it would be a better motivated one.[44] As for Blemmydes' proposal that money hoarded in the treasury should be used instead of taxes, Laskaris considered this preposterous. He wrote that the hoarded wealth would be used up rapidly and the emperor forced to borrow to meet expenses. This would establish "a bad habit" in imperial financial policy.[45] It is apparent that two different visions of imperial finances clashed in this exchange. Blemmydes insisted

[41] *Nicephori Blemmydae Autobiographia*, I, 40–44, chs. 81–84, 86, 87–88.

[42] *Theodori Ducae Laskaris Epistulae*, no. 44, 57.26–28: παρεᾶσαι τὸ τῆς <βασι>λείας ἀρχῆς δίκαιον ἡμᾶς ἀναγκάζεις λόγοις σοφοῖς πρὸς τοὺς παραλόγως κατέχοντας τ <ὸ δοθ>ὲν αὐτοῖς λογικῶς; ὁ γὰρ ἐμὸς γενέτης ταῦτα ἐπράξατο.

[43] Ibid., 57.40–42: καὶ πάλιν ἐρῶ τί λέγεις; δεῖν τοιούτων στρατευμάτων, ἢ οὔ; εἰ μὲν ἔστι, δὸς σοφωτάτως τὸν ναῦλον καὶ τὴν δαπάνην.

[44] Ibid., 58.55–59.

[45] Ibid., 57.44–49.

that Theodore II Laskaris should put to use the large surplus in the treasury gathered by John III Vatatzes and kept in the city of Magnesia.[46] By contrast, Laskaris argued that the proceeds of public taxation should serve to finance the army. At the very end of his letter the young emperor placed the dispute in a historical perspective and noted that subsequent generations would come to realize the correctness of his arguments.[47]

Thomas Magistros and the government of Andronikos II Palaiologos

With regard to taxation, however, the judgment of the next generation was often aligned with that of Blemmydes. In his conflict with Theodore II Laskaris, Blemmydes appears to have expressed the ideological position of Michael VIII Palaiologos, who spent wastefully the large treasury of the Laskarids. In the late thirteenth and the early fourteenth century the frontal attack on imperial taxation came from the patriarchs of Constantinople, all men in a powerful position enabling them to negotiate lower taxes: Arsenios (1254–60, 1261–64), John XII Kosmas (1294–1303), and, in particular, Athanasios I (1289–93, 1303–09). After having banned Michael VIII from the church, Patriarch Arsenios demanded that the emperor lower taxes and import duties as precondition to granting him penance.[48] Patriarch John XII Kosmas raised a similar objection to imperial tax-collection rights in 1301. Having withdrawn from public life on account of the scandalous and uncanonical marriage of the child-princess Simonis to the king of Serbia, John XII Kosmas presented the emperor with a list of conditions for returning to his office. One of his requests was lowering the excise taxes on salt and iron as well as other unspecified levies. The patriarch argued that high taxes meant high prices, which disproportionately burdened the poor.[49] John XII Kosmas's successor on the patriarchal throne, Athanasios, carried out the most effective assault on taxation. In October 1304 he and the patriarchal synod drafted a novel, which they submitted for confirmation by the emperor and which was to be known subsequently as "the novel of Patriarch Athanasios." The novel dealt with issues of moral importance,

[46] Pachymeres I.i, 97.21–26, 101.20–25, informs us of two special imperial treasuries. One of them had been established in Magnesia by John III from revenues of imperial lands and the other one by Laskaris in the fortress of Astritsios in the Troad. See also Gregoras I, 42; A. Heisenberg, BZ, 14 (1905), 231.25–33.

[47] *Theodori Ducae Laskaris Epistulae*, 59.119–120: ἡ δὲ κρίσις τῶν λόγων ἐς τὰς μετέπειτα κριθήσεται γενεάς.

[48] Pachymeres I.i, 283.12–22; Arsenios, *Testament*, PG, vol. 140, col. 956A: ἤθελον δὲ ἵνα μετάνοιαν ἐνδείξηται, καὶ τὴν πολλὴν βαρύτητα τῶν φόρων καὶ κουμερκίων [*sic*] καὶ ἑτέρων ἀδικιῶν διὰ τὴν τοιαύτην ἁμαρτίαν ἐκκόψηται, καὶ οὕτω συγχωρηθείη.

[49] Pachymeres II.iv, 323–327, esp. 323.12–16.

such as the opening hours of baths and the conduct of monks; its provisions sought also to restrict the rapacious and unjust practices of the fisc. The novel legislated that the fisc was entitled to confiscate only a relatively small portion of the properties of a murderer (*phonikon*). While another small portion went to the relatives of the murdered, the great bulk was to remain in the hands of the family of the punished individual, which thus was not deprived of its economic sustenance. The novel limited, too, the fisc's rights of inheritance over the belongings of a childless individual (*abiotikion*) to the amount of one third; the relatives of the deceased and the church were each to retain one third of the possessions.[50]

In the year in which Athanasios and the patriarchal synod were drafting the novel, Thomas Magistros appears to have launched the most radical ideological attack on imperial taxation during the period. Elements in Thomas Magistros' biography shed light on his social perspective and can elucidate his political views. A philologist and teacher, Magistros spent the whole of his life in the city of Thessaloniki and was immersed in its urban activity. When Magistros became a monk sometime between 1324 and 1328 and changed his name to Theodoulos, he chose to take residence in an urban monastery in Thessaloniki.[51] He was still a monk in Thessaloniki in 1347–48, to judge by the information found in a letter of his student, the anti-Palamite Gregory Akindynos.[52] His preoccupation with urban affairs is evident in his treatise *On the Polity (Peri politeias)* – a work in which Magistros instructs city dwellers in good civic conduct and

[50] Zepos, JGR, vol. 1, 533–536. This is the long version of the novel. Some manuscripts also transmit a shorter version which has been published in G. Heimbach, *Manuale Legum sive Hexabiblos* (Leipzig, 1851), xxii–xxviii (on the basis of Paris, Bibl. Nat., Cod. gr. 1351A), and Rhalles-Potles, vol. 5, 121–26 (on the basis of a manuscript now lost). The form of the novel is that of a petition presented by the synod to the emperor with a list of legislative measures. Laurent, *Regestes*, 1607, has made a convincing argument that the longer version of the novel is the original one. According to one of the manuscripts of the longer version, Andronikos II confirmed it in January 1305 and promulgated it as an imperial law. However, the novel remained known as "the novel of Athanasios," and this is what Harmenopoulos calls it in the *Hexabiblos*. See *Hexabiblos*, 5,8,9; 6,3,8; 6,6,6, ed. K. Pitsakes, 295, 349–50, 354. This circumstance has led Tourtoglou to hypothesize that Andronikos II never confirmed the novel. See M. Tourtoglou, "Παρατηρήσεις ἐπὶ τῆς φερομένης ὡς 'Νεαρᾶς' τοῦ Ἀνδρονίκου Β' Παλαιολόγου," *Πρακτικὰ τῆς Ἀκαδημίας Ἀθηνῶν* (Athens, 1995), 65–87. On the other hand, Konstantinos Pitsakes is of the opinion that Harmenopoulos ignored the confirmation by the emperor. See *Hexabiblos*, ed. K. Pitsakes, 295, n. 2.

[51] R. Janin, *Les églises et les monastères des grands centres byzantines* (Paris, 1975), 386–87, has hypothesized that Magistros took residence in the monastery of the Virgin Peribleptos founded by his spiritual father, the monk Isaac. S. Skalistes, *Θωμᾶς Μάγιστρος, ὁ βίος καὶ τὸ ἔργο του* (Thessaloniki, 1984), 47–48, has been more cautious and has left the question of Magistros' monastic residence open.

[52] A. Hero, *Letters of Gregory Akindynos* (Washington, 1983), no. 56, 228–34, 405–07 (this letter of 1345 is addressed to Magistros), no. 74, 296.41, 434–37 (the letter most probably addresses the monk Athanasios in 1347–48).

matters of education and war.[53] There is no doubt that the city Magistros had in mind was his native Thessaloniki. A similar concern with city life is evident in his discourse entitled *To the People of Thessaloniki on Unity*.[54] Furthermore, Magistros was a rich Thessalonican. Important information as to Magistros' social status can be gleaned from his letter to his spiritual father Isaac, founder of the Peribleptos monastery in Thessaloniki and probably identical with Jacob, metropolitan of Thessaloniki in the late thirteenth and early fourteenth centuries. This letter of Magistros is a fascinating account of his journey from Thessaloniki to Constantinople and back, undertaken in about 1318.[55] Magistros went on this trip with his father in order to deliver before Andronikos II a speech in defense of the slandered general Chandrenos, Magistros' relative and a valiant defender of Thessaloniki against the Catalans in 1308. When Magistros arrived at Constantinople after a traumatic sea journey during which the vessel had encountered pirates and violent storms, he found accommodation in a house near the palace and complained bitterly about living conditions.[56] He politely declined an invitation to settle in Constantinople proffered by literati of the imperial capital.[57] On returning to Thessaloniki Magistros and his father were met by their servants as they disembarked from the ship.[58] One of the servants of Magistros was reportedly the future Hesychast patriarch Philotheos Kokkinos (1353–54/55, 1364–76), the biographer of Saint Gregory Palamas.[59]

In his treatise *On Kingship* the scholar of Thessaloniki presented a number of extreme ideas concerning taxation and objected to the very existence of tax collection. Of particular interest are chapters 5, 13, 14, 20, 21, and 24.[60]

[53] PG, vol. 145, cols. 496–548. The date of composition of this work is unclear, and it is by no means certain that it is coterminous with the treatise *On Kingship*.

[54] B. Laourdas, "Θωμᾶ Μαγίστρου τοῖς Θεσσαλονικεῦσι περὶ ὁμονοίας," *Ἐπιστημονικὴ Ἐπετηρὶς Σχολῆς Νομικῶν καὶ Οἰκονομικῶν Ἐπιστημῶν*, 12 (1969), 751–75. Another discourse on civic matters can be found in Cod. Vat. gr. 714, ff. 161 r.–173 r. – an invective against a certain individual who illegally entered the monastery of Magistros' residence.

[55] His trip has been dated to about 1318 by J. Verpeaux, *Nicéphore Choumnos, homme d'état et humaniste byzantin, ca. 1250/1255–1327* (Paris, 1959), 53 and Skalistes, *Θωμᾶς Μάγιστρος*, 190. On the probable identity of Isaac with the metropolitan of Thessaloniki Jacob, see PLP 7905, 7906, 8241, with further bibliography

[56] M. Treu, "Die Gesandschaftsreise des Rhetors Theodulos Magistros," *Festschrift C. F. W. Müller zum 70. Geburtstag gewidmet, 22. Februar 1900* (Leipzig, 1900) (= *Jahrbücher für classische Philologie, 72. Supplementband* (Leipzig, 1902)), 10.15–25.

[57] Ibid., 11.16–24. [58] Ibid., 17.37–42.

[59] Our sources for this are the disparaging remarks made by his anti-Hesychast opponent, Procheiros Kydones. See G. Mercati, *Notizie di Procoro e Demetrio Cidone, Manuele Caleca e Teodoro Meliteniota, ed altri appunti per la storia della teologia e della letteratura bizantina del secolo XIV* (Vatican, 1931), 302.

[60] These chapters were introduced by the first editor of the treatise, Angelo Mai, and are not found in the two manuscripts in which the work is transmitted. Yet Mai showed good judgment in dividing the treatise into thirty chapters.

In chapter 21 Thomas Magistros discussed a case similar to that disputed by Laskaris and Blemmydes about half a century earlier. Here Magistros referred to the eventuality of the imperial government facing extraordinary expenses. Magistros stated that the emperor should by all means avoid imposing additional taxes and should instead use the supply of gold, silver, and precious stones available in the treasury. Magistros further explained that the assets of precious stones at the emperor's disposal would be recovered after the need for the extra expenditure had passed.[61] This comment may be interpreted as indicating that there was plenty of hoarded wealth at the time Magistros composed his treatise. Unfortunately, the author did not specify the source of revenue that he claimed would refill the emperor's private treasury – whether this source was public taxes, state monopolies over salt-pans and fisheries, or crown estates. Magistros added that the levying of extra taxes was warranted only when the emperor lacked hoarded wealth, and this apparently was not the case at the time.[62]

Thomas Magistros' objections to tax increases are similar to those of Nikephoros Blemmydes, and one may relate these objections to the admonition in the mirrors that the emperor should avoid hoarding. Pseudo-Basil, Theognostos, and Metochites criticized the allegedly senseless practice of accumulation of money in the maintenance of imperial finances.[63] Chapters 13 and 14 of Magistros' treatise, which counsel the emperor to shun greed, reflect another traditional element of the mirrors of princes literature. According to Magistros it was better for Andronikos to have his treasuries empty than to outdo Midas in an avaricious pursuit of money.[64] Magistros' novel, and in a way revolutionary, interpretation was his objection to taxation itself, which he raised in chapter 5 of *On Kingship*. His arguments merit closer scrutiny. At the end of the preceding chapter Magistros urged Andronikos II to pardon criminals, thus displaying his sense of philanthropy for which many a rhetorician had praised him, and repeated the traditional interpretation that philanthropy made the emperor a true reflection of God. Then Magistros turned to the subject of taxation:

> And [you will be most similar to God] if you abound in so great a magnanimity as not to deem it a worthy thing to receive anything from anyone, nor to receive gifts on account of the [imperial] office like previous emperors, but if you give benefactions to everyone because of this very thing [the divine likeness].[65]

[61] Magistros, *On Kingship*, ch. 21, 67.949–60, 68.970–76.

[62] Ibid., ch. 21, 67.956–60: Εἰ μὲν γὰρ οὐκ ἦν, οὐκ ἐνῆν ὅθενοῦν τὸ παράπαν χρήματα πεπορίσθαι, εἰκότως ἂν εἰσέφερον οὗτοι· εἰ δ' ἔστι μὲν πολὺς ἐν κειμηλίοις χρυσός, ἔστι δὲ ἄργυρος καὶ λίθων ὑπερφυὴς ἀφθονία πολυτελῶν.

[63] See chapter 6, n. 58. [64] Ibid., ch. 13, 50–53 (especially 52.574–76); ch. 14, 53–55.

[65] Ibid., ch. 5, 35.149–53: Καὶ μάλιστ' εἴ σοι τοσοῦτον μεγαλοψυχίας περίεστιν, ὡς μηδὲν μηδοτιοῦν παρὰ μηδενὸς ἀξιοῦν τὸ παράπαν λαμβάνειν, μηδὲ δωροφορεῖσθαι διὰ τὸ σχῆμα, καθάπερ οἱ

The kind of gift-giving by the subjects to the emperor which Magistros criticized here was nothing else than imperial taxation. Further on in the same chapter Magistros pointed out that the "gifts" involved in the redistribution of resources belonged to the subjects and were not the property of the emperor, that is, they were public taxes.[66] Magistros' line of thinking shows superficial similarity to that of other authors. One is reminded here of Blemmydes' idea expressed half a century earlier, namely, that the emperor owned nothing in private. In a way similar to his contemporary, the historian Pachymeres, Magistros viewed taxation as public wealth, and thought that this public wealth needed to remain the property of imperial subjects. Magistros took these familiar ideas a step further, however, and argued that taxation itself was a harmful practice. The arguments Magistros adduced to back up his remarkable proposition were not based on notions of public property and public power, but rested on a tendentious interpretation of ideas drawn from propaganda and the *Kaiseridee*. First, Magistros stated that the emperor carried out the best kind of generosity when he did not respond to a prior favor by the subjects.[67] Then, employing a rhetorical twist, Magistros argued that an emperor who did not respond to favors was also one who did not collect taxes in the first place. Magistros seems to have borrowed the idea of the non-responsive and arbitrary generosity of the emperor from contemporary imperial panegyrics.[68] In accordance with his agenda outlined in the opening passage of his treatise Magistros turned praise into a prescriptive norm. Another possible source of inspiration for Magistros were precepts found in mirrors of princes such as those of Agapetos and Pseudo-Basil, stating that the emperor should not grant benefactions in response to favors he had received from his subjects. The mirrors urged the emperor not to respond to favors, because this type of conduct would place him in the inferior position of debtor, while it was better for him not to owe anything to anyone.[69] Magistros also approached this idea tendentiously and reasoned that an

πρόσθεν, ἀλλ' ὅπως δι' αὐτὸ τοῦτο μᾶλλον ἅπαντας εὖ ποιεῖς. The expression ἀξιῶ λαμβάνειν, meaning "do not hesitate to receive," was used by Pachymeres in describing tax-farming practices. See chapter 8, p. 278, n. 75. Magistros also noted that only indigent people were entitled to receive, and the emperor clearly did not fall in this category. See ibid., ch. 5, 35.157–59.

[66] Ibid., ch. 5, 37.212–14: οὐκοῦν ἀκριβεῖ λόγῳ οὐδ' ἃ δίδως ἡμῖν, δῶρα σὰ δίδως, οὐδ' οἴκοθεν καὶ παρὰ σαυτοῦ χορηγεῖς, ἀλλὰ τὰ ἡμέτερ' αὐτῶν ἡμῖν ἀποδίδως.

[67] Ibid., ch. 5, 35.161–36.163: ἔτι τοίνυν τὸ μὲν ἁπλῶς εὐποιεῖν καθαρῶς ἐστιν εὐποιεῖν, τὸ δὲ μετὰ τοῦ δωροφορεῖσθαι τοῦτο ποιεῖν, οὐκ εὖ ποιεῖν μᾶλλον ἐστὶν ἢ ἀποδιδόναι; *ibid*, ch. 5, 37.200–07.

[68] Planoudes, "Basilikos," BSl, 28 (1967), 55.173–176; Gregoras I, 341.10–16.

[69] Agapetos the Deacon, 60, ch. 50; Pseudo-Basil, 70, ch. 57. The emperor was to avoid being in the position of ὀφειλέτης or χρεώστης.

emperor who did not respond to prior favors was one who did not collect taxes.

The second argument of Magistros in support of his anti-taxation statement was a curious interpretation of the idea of sacral rulership. In an edifying manner Magistros pointed out that God did not collect taxes from the recipients of his benefactions, that is, the entire humankind. On the other hand, humans both offered benefactions and were recipients of acts of generosity. Insofar as the emperor surpassed all humans and was close to God, the most "imperial of all emperors" would practice generosity alone and would dare take nothing from his subjects.[70] As in the case of the preceding argument, this one, too, rested on an ideological commonplace. Contemporary court orators praised Andronikos II for his beneficence (*euergesia*), which made him a true imitator of God. The mirrors of princes also voiced the same idea.[71] However, none of Magistros' sources stated that God did not collect taxes and put in doubt the emperor's right of tax collection. The philologist of Thessaloniki used the time-honored ideology of sacral rulership as a mere stepping-stone for his attack on taxation, concealing the radicalism of his ideas behind a seemingly respectful facade.

Did Magistros seriously envisage that imperial taxation would cease? There are indications that he did not view this idea as a practical possibility. Magistros never questioned the legitimacy of the land tax, but paid attention to secondary taxes. The rest of the treatise reveals the author as a realist acquainted with contemporary administration, not the creator of utopias. He probably articulated the anti-taxation manifesto early on in his treatise in order to prepare the soil for the harsh attack against concrete taxes that was to follow. The specific levies criticized by Magistros were supplementary taxes that the fisc considered a special right of the crown and tenaciously collected, even when granting exemption from the main land tax. In chapter 20 Magistros took issue with the fisc's right to confiscate all treasure troves found in Byzantine territory. Magistros adduced arguments that were both ideological and practical. He wrote that the discovery of treasure troves (*heuresis thesaurou*) was an act of divine providence and that the emperor had no right to contravene the inscrutable ways of God.[72] Here Magistros repeated an old argument found in a rhetorical exercise by Libanios – a

[70] Magistros, *On Kingship*, ch. 5, 361.171–76: ὅσον οὖν ἀνθρώπου Θεὸς ὑπερέχει τά γε τοιαῦτα, τοσοῦτο πάντων αὐτοκρατόρων βασιλεύτατος ἂν εἴη ὁ μόνον τὸ εὖ ποιεῖν ἠσκηκώς. Οὗτος τοίνυν αὐτὸς γενοῦ, λαμβάνων μὲν οὐδαμόθεν μηδ' ἂν ἀνάγκη τις ᾖ, οἴκοθεν δὲ καὶ παρὰ σαυτοῦ πᾶσι πάντα διδούς, καὶ πλέον ὧν ἕκαστος δεῖται.

[71] Agapetos, 62, ch. 53; 66, ch. 60; Pseudo-Basil, 51–52, ch. 5. For the same idea in legal texts, see chapter 4, n. 6.

[72] Magistros, *On Kingship*, ch. 20, 64.862–66.

work with which the late Byzantine philologist was familiar and used in his Attic dictionary.[73] Second, Magistros put forth the practical argument that the discovery of treasure troves was highly infrequent; thus they differed from periodically collected taxes and did not constitute a predictable source of revenue for the fisc.[74] Magistros used the case of the treasure troves to make a general denunciation of imperial fiscal rights. The emperor could respond to his accusations, he noted, by claiming that confiscating treasure troves was a "prerogative of his authority" (τὸ τῆς ἀρχῆς συγκεχωρηκός). For Magistros, this was the reasoning of a tyrant rather than a legitimate emperor.[75]

In chapter 24 of his treatise Magistros attacked the emperor's claim to be entitled to inherit the properties of childless individuals (*abiotikion*). Magistros' discussion of this fiscal levy, which was the subject of the novel of Patriarch Athanasios, is particularly significant and sets his views in the context of contemporary discussions of the fiscal rights of the crown.[76] Magistros wrote that this was the most important piece of advice he was about to give Andronikos II. He described cases when the fisc confiscated all the properties of people who died without surviving children, although their grandchildren were still living. For Magistros this fiscal levy was an outright illegality.[77] The scholar from Thessaloniki urged Andronikos to leave some of the possessions in the hands of the relatives of the deceased, while assigning the rest to the church. Thus he offered a solution similar to the provisions of the novel of Constantine VII Porphyrogennetos, which had prescribed that the relatives should keep two thirds of the belongings of the deceased and the church one third. Unlike the tenth-century novel, Magistros did not define the proportions of the division between the relatives and the church, and suggested excluding from inheritance any relatives other than the direct offspring of the deceased – unless these other relatives were very poor. Thomas Magistros' objection to the *abiotikion* involved a more radical solution than the novel of Athanasios. Magistros did not recognize the rights of the fisc at all, whereas the novel of Athanasios permitted the imperial government to confiscate one third of the properties of the childless individual. It is impossible to determine why Magistros

[73] Morrisson, "La découverte des trésors," 327, with a reference to Libanios' declamation on the law of treasure troves. Cf. *Thomae Magistri sive Theoduli monachi Ecloga vocum atticarum*, ed. F. Ritschl (Halle, 1832; repr. Hildesheim, 1970), 364, where Magistros gave an example of Atticism from the same work of Libanios.

[74] Magistros, *On Kingship*, ch. 20, 64.878–65.889.

[75] Ibid., ch. 20, 65.900–911.

[76] Laiou, "Le débat sur les droits du fisc," 114–18, has discussed in detail the relationship between Magistros' treatise and the novel, pointing to cases of textual parallelism.

[77] Magistros, *On Kingship*, ch. 24, 71.1057–1061.

did not refer to the arrangement in the novel of Athanasios, whether this was because he was not aware of this piece of legislation or because he did not recognize its legal validity. In any case, the imperial fisc in the later fourteenth century disregarded the provisions of the novel of Athanasios and continued to confiscate the property of childless individuals.[78]

Magistros' criticisms of imperial taxation were no lonely drops in an otherwise calm sea, but were part of a comprehensive program of reform. The thrust of Magistros' agenda was to limit as much as possible the involvement of the emperor, his relatives, and his fiscal agents in running the empire. Magistros blamed the emperor's inner circle for cases of dire maladministration. He inveighed against the appointment of inept imperial relatives as governors of cities and against the privileged position of the emperor's kinsmen and friends at courts of law.[79] Magistros urged the emperor to be generous to all subjects, not just to a small circle of privileged individuals.[80] In this sense he opposed a government run by privilege and a ruling aristocratic clan. The scholar from Thessaloniki also proposed other policies that would improve the functioning of the imperial administration. He appealed to the emperor to promulgate a law prohibiting the sale of offices, a practice which he considered a chronic disease of contemporary society. Magistros warned that if this were not done the emperor would betray his subjects.[81] He remonstrated against the employment of foreign mercenaries, who were both expensive and unreliable. Instead, Magistros urged the emperor to hire native troops and to provide them with *pronoiai*, which he should make hereditary for at least one generation for families of soldiers killed in battle.[82] It is apparent that Magistros alluded here to the bitter experience of Andronikos II with foreign mercenary troops such as the Alans and probably the Catalans. At the end of the treatise, Thomas Magistros called upon Andronikos II to modify his policies in accordance with his suggestions, and again pointed out that even if no one criticized the emperor, he should not be deceived that his subjects were content.[83]

Magistros' agenda of curtailing imperial prerogative is evident also in his treatise *On the Polity*, addressed to his fellow Thessalonicans. A notable feature of this advisory tract is the total absence from it of the emperor

[78] See Karpozilos, "Ἀβιωτίκιον," 80.

[79] Magistros, *On Kingship*, ch. 6, 39.249–60; ch. 12, 48.480–49.491; ch. 17, 60.760–71.

[80] Ibid., ch. 5, 35.153; ch. 13, 51.541–42, ch. 17, 59–61 (on universal justice without regard to friendship).

[81] Ibid., ch. 19, 62–63.

[82] Ibid., chs. 9–10, 43–46. He also called on the emperor not to ignore the navy.

[83] Ibid., ch. 29, 82.1325–48, esp. ll. 1329–30: διόρθωσαι τοίνυν ἐν τούτοις σαυτόν, καὶ ποίησον διὰ πάντων βελτίω.

and his administrative agents. Thomas Magistros gave his fellow citizens a number of different counsels that constitute a window both into his own social background and into urban life in Thessaloniki in the first half of the fourteenth century. Magistros exhorted at length his fellow citizens, both the poor and the rich, to value education and attend schools.[84] He also gave counsels as to their social conduct. Magistros urged the citizens to practice crafts and thus procure their sustenance in an honest way.[85] They were to select as guardians of the defensive walls of the city individuals with "houses, fields, and ancestral graves," but not poor people, who would be thinking only about their empty stomachs and therefore might easily be corrupted.[86] His fellow townsmen were to disregard family origins when selecting urban sentinels and were to pay attention exclusively to virtue when making their choice.[87] These comments reveal that Magistros represented the interests of the productive urban classes (craftsmen, merchants, and owners of small and medium-sized urban or suburban properties); he was not an advocate of the aristocracy of birth and office. This view finds support also in his treatise *On Kingship*, where the author lobbied for merchant interests. Here he urged Andronikos II to introduce a law prohibiting people living in coastal areas from plundering wrecked ships.[88] Thomas Magistros did not ignore the poorer members of society. The Thessalonican strove to ensure that the wealthier urban classes, to which he himself belonged, showed respect and a Christian sense of compassion for the socially disadvantaged. Thus he advised that paralytics and slaves deserved compassion, not derision.[89] Hired laborers were to be paid their wages in full, and were not to be dismissed without remuneration after finishing their job.[90]

Magistros referred to the imperial administration only once in *On the Polity*: he remarked that generals should pay soldiers on time, using as means of remuneration either annual salaries or lands. Otherwise soldiers would turn to plunder and desertion, harming the city which they had been trusted to protect.[91] It is interesting to observe that Magistros was not the only contemporary to complain that underpaid soldiers tended to turn to pillage and plunder. Between 1306 and 1309 Patriarch Athanasios also pointed out to Andronikos II in an instructive sermon that the inability of the central government to provide soldiers with sufficient salaries led

[84] PG, vol. 145, chs. 22–24, cols. 537B–544B. [85] Ibid., ch. 6, cols. 505D–508C.
[86] Ibid, ch. 14, cols. 521B–524C. [87] Ibid., chs. 16–17, cols. 525D–529D.
[88] Magistros, *On Kingship*, ch. 22, 69.1016–70.1030. See also ch. 24, 73.1109–10, where the author refers to merchants drawn to Constantinople because of the emperor's generosity.
[89] PG, vol. 145, chs. 18–19, cols. 532A–533D. [90] Ibid., ch. 20, cols. 533D–536C.
[91] Ibid., ch. 10, cols. 513A–516A.

them to loot and despoil innocent people of their property.[92] Yet Magistros again went a step further than Athanasios: he advocated the formation of a city militia in Thessaloniki. In his treatise *On the Polity* he urged his fellow citizens to prepare themselves for war, citing the example of the Scythians (that is, the Mongols) as an undaunted and militant race. Magistros even called on women to learn how to use arms.[93] (It is to be noted that in his treatise *On Kingship* Magistros advocated the establishment of special urban storehouses which would provide city dwellers with food supplies sold at a fair price in case of prolonged siege.[94]) The idea of an urban militia was an indirect attack on imperial prerogative. While Magistros did not put in doubt the emperor's right to lead the army, preferably a native one, he questioned the monopoly of the central authorities in defending the empire and argued that a city militia could be an effective fighting force.

The kind of attacks on the emperor's authority in which Magistros was engaged drew an ideological response from circles close to imperial interests. A representative of those interests was the scholar and statesman Theodore Metochites, who, during the 1320s, discussed taxation in his *Miscellanea*. Metochites and Magistros knew and respected one another. When in about 1318 Magistros visited Constantinople, he noted with gratitude how the high official of the emperor, the logothete *tou genikou* Theodore Metochites, helped to arrange for his audience at the court.[95] When in 1321 Metochites received the high court title of grand logothete, Magistros dedicated to him a panegyric in which he congratulated him on this important new step in his political career.[96] The two learned men appear to have been familiar with each other's literary works – a circumstance understandable in the light of the existence of literary circles at the time. Yet Magistros and Metochites held opposing views on some issues. A polemical reference to Magistros' *On Kingship* has been detected in the discourse on education which Metochites composed in about 1305.[97] Furthermore, in his *Miscellanea* Metochites presented ideas of kingship which were the converse of those of Magistros and may well have been formulated as an indirect response. A philologist infatuated with Hellenic literature, Magistros used model figures for imperial rulership which were derived almost entirely from the ancient Greek past.

[92] Gennadios of Helioupolis, "Ἐπιστολιμαῖα διδασκαλία τοῦ οἰκουμενικοῦ Πατριάρχου Ἀθανασίου Α΄ πρὸς τὸν αὐτοκράτορα Ἀνδρόνικον Β΄," *Orthodoxia*, 27 (1952), 178. On the date of this text, see chapter 11, n. 78.
[93] PG, vol. 145, ch. 8, cols. 509B–512A. On the context of Magistros' ideas concerning the urban militia, see M. Bartusis, *The Late Byzantine Army: Arms and Society, 1204–1453* (Philadelphia, 1992), 307 ff.
[94] Magistros, *On Kingship*, ch. 23, 70–71. The financing of these urban supply centers was not specified.
[95] Treu, "Die Gesandschaftsreise," 10.26–42. [96] PG, vol. 145, cols. 381–389.
[97] See chapter 6, p. 190 and n. 32.

The model kings which Metochites mentioned were conspicuously different. To begin with, Metochites held a dismal view of the politics of ancient Greece, where monarchical constitutions had not been in vogue. He commented, rather disparagingly, that in Athens people like Pericles and Themistocles had been equal with common shoemakers, blacksmiths, and builders.[98] Only in a monarchy like Byzantium could virtuous people like them be awarded the appropriate public offices and be elevated above the level of the common mob. Not surprisingly, Metochites drew his model kings almost entirely from the history of the Roman monarchy and empire, but not the republic. He expressed at length his admiration for the legislation of King Numa Pompilius, which had set Rome on a firm footing and had ensured its future greatness.[99]

Metochites' attitude toward taxation was the polar opposite to that of Magistros. Of particular interest is essay 82 in the *Miscellanea*, whose title is indicative of its main argument: "Concerning the fact that the emperor should take great care about procuring sources of revenue."[100] Apparently Metochites felt somewhat uncertain about this bold statement, and essay 83 slightly modifies the thesis of the preceding one: "Concerning the fact that the emperor must not devote himself completely to the task of procuring revenues and should not pursue this goal by every means."[101] Doubtless, however, Metochites' heart lay with the former thesis. He argued that an impoverished ruler was despicable and deserving of derision, and that he ought to step down from office rather than continue to rule while penniless. As a living creature could not exist without air, so an emperor was incapable of governing without money. Cash was needed, according to Metochites, for financing the infantry and the navy, for ransom money

[98] Theodore Metochites, *Miscellanea*, ch. 98, 632.

[99] Comparative figures in Thomas Magistros, *On Kingship*, and Theodore Metochites, *On Kingship* (chapter 98 of the *Miscellanea*):

Thomas Magistros, *On Kingship*:	Theodore Metochites, *Miscellanea*:
Alexander (44, 59)	Alexander, Augustus, Titus
Midas (54), negative comparison	Marc Antony, Constantine the Great and Theodosius (641)
Aristides and Pericles (52–53)	Caligula, Nero, Domitian (641), negative comparison
Themistocles and Cleon (60)	Numa Pompilius (703–710)
Pericles (61)	
Nerva (65)	
The Athenians, the Eleatic school	
Themistocles, Pericles, Miltiades, Cimon	
The Pythagoreans, the descendants of Aeneas (80)	

[100] Metochites, *Miscellanea*, ch. 82, 538–44: ὅτι ἐπιμελητέον βασιλεῖ μάλιστα περὶ τὸ πορίζεσθαι χρηματισμούς.

[101] Ibid., ch. 83, 544–49.

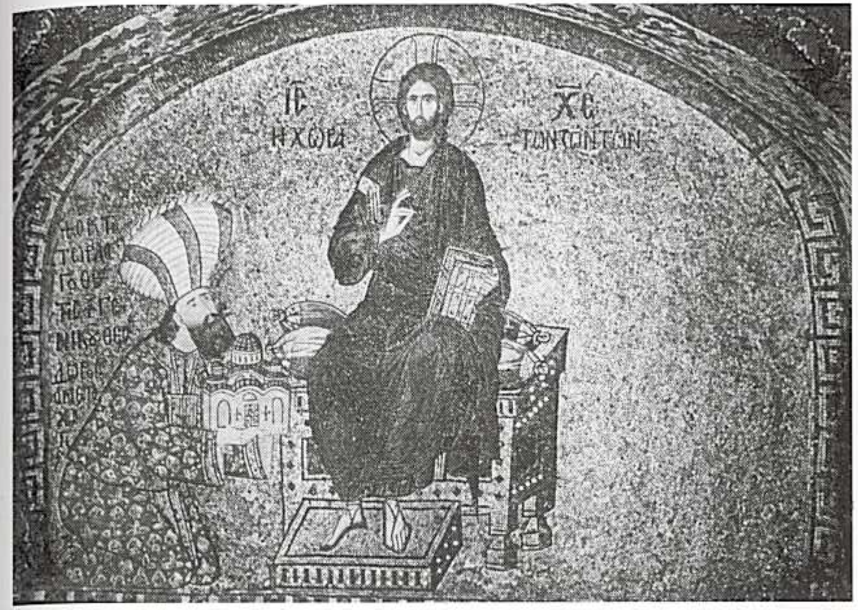


Plate 4. Theodore Metochites, church of Christ Savior in Chora (Kariye Djami), Istanbul, courtsey of Dumbarton Oaks, Byzantine Photograph and Fieldwork Archives, Washington, DC

and for expensive embassies. Metochites noted that money should be spent on both native and foreign troops. Thus, unlike Magistros, he considered mercenary troops to be necessary for defending the empire.[102] It is apparent that Metochites' comments were directly related to an event which the author never mentioned in the *Miscellanea* – the First Civil War (1321–28) and the ensuing competition between Andronikos the Elder and Andronikos the Younger to attract political supporters with promises of economic gain. Unfortunately, Metochites did not specify the taxes and fiscal levies which the emperor had to collect, beyond generally mentioning that the emperor should strive actively to find revenues. We learn only that Metochites disliked confiscations of properties and considered them to be the deeds of a ruthless tyrant.[103]

[102] Ibid., ch. 82, 539: καὶ φιλότιμοι μεταδόσεις ἐλευθερίως, οὐ πρὸς οἰκείους μόνον ἀλλὰ καὶ ἀλλοτρίους ἔξωθεν. Metochites made this comment in the context of his discussion of the financing of the imperial army.

[103] Ibid., ch. 98, 638. The idea that the philanthropic emperor does not confiscate properties was present (as we saw in chapter 4, p. 139) in panegyrics addressed to Andronikos II. In addition, Metochites seems to have expressed his own fears, soon to become a reality, that he would lose his luxurious house in Constantinople and his landed estates in the provinces should Andronikos the Younger gain the upper hand in the civil war.

Much clearer is Metochites' attitude toward tax redistribution. He repeated the traditional negative view regarding hoarding and favored a speedy use of the collected tax wealth.[104] Furthermore and most importantly, Metochites was the only political author of the period who expressly mentioned the emperor distributing privileges to his subjects. In essay 98 entitled "On Kingship," Metochites compared the order in human society introduced by the monarchy to a musical harmony and to the concord among different parts of the human body. He observed that, just as the human mind ruled over the different parts of the body, the emperor governed over his subjects and granted a privileged position (*pronomia*) to some, a secondary role to others, and in this fashion treated everyone in accordance with reason.[105] This comment is remarkable for its image of the hierarchical ordering of the polity by a powerful monarch (the mind of the polity), and for the explicit articulation of the idea of privilege. While Metochites remained silent as to the role of the imperial tax apparatus, the way in which the system of privileges operated in practice was precisely through the redistribution of tax resources. And Metochites knew very well who the recipient of such privilege should be. In another chapter of the *Miscellanea* Metochites wrote that the civil bureaucracy of the empire (*to politikon*) should always strive to gain property and wealth; poverty was the worst disaster that could befall bureaucrats.[106] It seems, therefore, that he considered civil officials to be entitled to a privileged position in the imperial administration – alongside the military class mentioned in chapter 82 in the *Miscellanea* as recipient of salaries. The self-referential undertones of Metochites' political ideas are clear. The historian Gregoras writes that after Andronikos the Younger won the civil war, the populace of Constantinople was so enraged at the wealth of the prime minister of Andronikos II that it burned down his luxurious house. Metochites was alleged to have appropriated public tax wealth by selling offices.[107]

The attacks on taxation during the thirteenth and the early fourteenth centuries mark an interesting and in some ways novel chapter in Byzantine political discussion. These attacks were aimed at the heart of the autocracy, for the emperor's supreme rights in tax collection had always been

[104] Ibid., ch. 83, 545–47.

[105] Ibid., ch. 98, 635: τούτοις δ' ἅπασιν ἐπιστάτης καὶ βασιλεὺς ὁ νοῦς αὐτοκρατορικῶς κινῶν τὰ πάντα πρὸς τὰς ἑκάστοτε χρείας τακτοῖς ὅροις, καὶ τοῖς μὲν προνομίαν ἀποδιδούς, τοῖς δὲ τὰ δεύτερα τῆς χρήσεως, καὶ ἄλλῳ μετ' ἄλλο κατὰ λόγον ἑξῆς, καὶ οὐδὲν τῶν ἁπάντων οἰκειοῦται τἀλλότρια καὶ μὴ προσήκοντα, οὐδ' ὑπερβάλλεται τοὺς δεσποτικοὺς τοῦ λογισμοῦ νόμους καὶ τἀπιτάγματα.

[106] Ibid., ch. 85, 550–56. [107] Gregoras I, 425.23–426.7.

an administrative cornerstone of the empire. It must be noted that criticism of taxation was not a novelty in itself – Byzantine historians in the past had sometimes complained against the introduction of higher taxes.[108] What was unusual in late Byzantium was the questioning of imperial entitlement to taxation. It was also unusual, even if not surprising to us, that most of the political authors we have discussed envisaged a system of tax redistribution based on privilege. This was the way in which the empire was actually governed, and most of the authors saw themselves as beneficiaries of imperial privilege. Nikephoros Blemmydes favored grants to the emperor's friends (among whom he surely wished to count himself). As we have seen, in his political treatise on friendship Theodore II Laskaris also favored the granting of economic privileges to the emperor's loyal supporters. The self-serving concerns of Metochites are obvious. In this company Thomas Magistros is a lonely figure who subscribed to the old ideal that the emperor had a duty to be generous to everyone, not just to a limited group of individuals.

The most remarkable novelty after 1204 was the entry of criticism of taxation (or of specific taxes) into the genre of the mirrors of princes and the appearance in the mirrors of theoretically grounded views against the emperor's tax-collecting authority. Nikephoros Blemmydes denied the emperor the right of private ownership of wealth. Thomas Magistros questioned the very legitimacy of imperial taxation. Even more important is the fact that the critics of taxation were ideological spokesmen of social groups that became increasingly powerful during the period: churchmen and the urban classes. These two groups attained influential positions to negotiate with imperial authority. Thomas Magistros, a representative of the late Byzantine city, advocated a comprehensive reform which amounted to the reduced involvement of the imperial government in matters of taxation and military policy. In constructing his arguments against taxation Magistros used ideas derived from the *Kaiseridee*. This ostensible continuity of political ideas is a deceptive one, however. The author from Thessaloniki used ideological elements of the imperial idea as stepping-stones for launching an unparalleled attack against the emperor and his economic prerogatives.

[108] See, for example, the negative portrayal of the tax increases introduced by the emperors Nikephoros I (802–11) and Alexios III Angelos (1195–1203), in *Theophanis Chronographia*, vol. 1, ed. C. de Boor (Leipzig, 1883), 486–87; and *Nicetae Choniatae Historia*, ed. J.-L. van Dieten (Berlin and New York, 1975), 478–79 (the *alamanikon* levy).

CHAPTER 10

Manuel Moschopoulos, Plato, and government as social covenant

Among discussions of imperial power, the political treatise by the scholar and teacher Manuel Moschopoulos (fl. ca. 1300) stands out in a number of significant ways. First and foremost Moschopoulos put forth an unusual and highly original theory. He argued that Byzantium, like all human polities, was constituted on the basis of a covenant, a social contract, concluded among the people. The institution that guaranteed this social contract was the oath of loyalty to the ruler sworn by his subjects. Furthermore, Moschopoulos did not write like any contemporary Byzantine political author: he did not speak of abstract imperial virtues and the emperor's divine right; his tract was not rhetorically elaborate, but clear and concise. Most remarkably, his theory reveals the unmistakable imprint of such a major work of classical political thought as Plato's *Republic*.

Moschopoulos' work has generated some interest among scholars. Hans-Georg Beck interpreted his treatise as an audacious attack on absolutism. Beck spotted the influence of Plato's *Republic* and went as far as to compare Moschopoulos' contractual theory to the political philosophy of Thomas Hobbes. For Beck, Moschopoulos' construction of the state testified to the uninterrupted persistence of Roman constitutionalist ideas of public government into late Byzantium.[1] By contrast, Nikos Svoronos considered Moschopoulos' theory to be a reflection of the growing constitutional importance of oaths of allegiance to the emperor, including feudal oaths of reciprocal nature.[2] What little is known of Moschopoulos' biography has

[1] H.-G. Beck, *Res Publica Romana. Vom Staatsdenken der Byzantiner* (Munich, 1970), 19–22, esp. 19, n. 37 (where the influence of Plato's *Republic* is briefly noted); Beck, *Das byzantinische Jahrtausend* (Munich, 1978), 43–44 and 315–16 (German translation of a part of the treatise). On the theory of social contract in Western political thought (including medieval antecedents), see E. Barker, *Social Contract* (Oxford, 1960), vii–xliv; M. Lessnoff, *Social Contract* (London, 1986); D. Boucher and P. Kelly, "The Social Contract and Its Critics," in D. Boucher and P. Kelly (eds.), *The Social Contract from Hobbes to Rawls* (London, 1994), 1–34.

[2] N. Svoronos, "Le serment de fidélité à l'empereur byzantin et sa signification constitutionnelle," REB, 9 (1951), 135.

been subject to a seminal article by Ihor Ševčenko, who has shown that Moschopoulos became involved in a conspiracy against the government of Andronikos II and was imprisoned in late 1305 or early 1306.[3] Moschopoulos was certainly not a powerful man like other political authors of the period – for example, the emperor Theodore II Laskaris or the *mesazon* Theodore Metochites, who were in a unique position to be able to put some of their ideas into practice. Nor was Moschopoulos the author of a reform tract, like Thomas Magistros' *On Kingship*. Like his contemporaries he was a scholar, but he never held office and indeed was an enemy of the Palaiologan regime.

No study yet has set Moschopoulos' treatise in a historical and intellectual setting. Besides, there has been disagreement as to its audience and date of composition. Our first goal will be to examine in some detail the circumstances that made Moschopoulos write his treatise. Then we shall look at its arguments and investigate Plato's influence. Third, we shall attempt to determine the degree to which Moschopoulos' theory reflected real practices of oath-taking and the extent to which the author voiced his own interpretation. To establish the connection between theory and reality, we shall undertake an excursus into oath-taking practices during the thirteenth and the early fourteenth centuries. The study of the text and the social realities underlying its arguments should enable us to assess better Moschopoulos as a Byzantine political author.

THE AUTHOR, HIS ADDRESSEE, AND HIS TIMES

Very little is known about the life of Manuel Moschopoulos, an otherwise renowned classical scholar and a teacher resident in Constantinople. His name is well known to modern classicists for his editions of ancient Greek authors: Homer, Pindar, Theocritus, Sophocles, Euripides, and Aristophanes.[4] Moschopoulos was already known to the humanists of the Italian Renaissance, who learned classical Greek on the basis of his extremely popular textbook entitled *Grammatical Questions*.[5] Yet Manuel

[3] I. Ševčenko, "The Imprisonment of Manuel Moschopulos in the Year 1305 or 1306," *Speculum*, 27, 2 (1952), 133–57.

[4] For a full list of Moschopoulos' philological works see K. Krumbacher, *Geschichte der byzantinischen Literatur von Justinian bis zum Ende des oströmischen Reiches (527–1453)*, 2nd rev. edn. (Munich, 1897), 546–48; *Tusculum-Lexikon griechischer und lateinischer Autoren des Altertums und des Mittelalters*, ed. W. Buchwald, A. Hohlweg, and P. Prinz (Munich, 1982), 537–39; PLP, no. 19373. In addition to his editions and grammatical textbook, Moschopoulos wrote riddles, lexica, a paraphrase of the first two books of the *Iliad*, and a treatise on the procession of the Holy Spirit.

[5] There are more than 250 manuscripts of the *Grammatical Questions* (Ἐρωτήματα γραμματικά). Cf. R. Sinkewicz and W. Hayes, *Manuscript Listings for the Authored Works of the Palaeologan Period*

Moschopoulos' life and career in Byzantium is shrouded in mystery. The sole certain event in his life is his imprisonment in Constantinople (late 1305 or early 1306). Only a few facts about him can be stated with certainty. He was the nephew of Nikephoros Moschopoulos, a bibliophile and a metropolitan of Crete at least since 1285, who resided in Constantinople as a result of the Venetian occupation of the island. Nikephoros Moschopoulos was a highly influential man at the court of Andronikos II and led an important diplomatic mission to Venice in 1296.[6] It was Nikephoros Moschopoulos who most probably arranged that his nephew, Manuel, studied at the famous school of Maximos Planoudes in Constantinople, housed in the monastery of Christ Akateleptos or the Chora monastery. Manuel Moschopoulos advanced rapidly in his studies, and a letter of Planoudes addressed to Nikephoros at an unknown date between 1282 and 1305 states that the young Manuel taught with him.[7] Manuel Moschopoulos' scholarly interests were mainly philological, and he prepared his editions for educational purposes. The date of his death is unknown. His name is mysteriously absent from the rich epistolographic literature of the early Palaiologan period.

Manuel Moschopoulos' involvement in politics was less spectacular than his scholarly achievements and was marked by a grievous misfortune. The affair of his imprisonment in 1305/06 looms large in his six surviving letters.[8] The treatise on imperial oaths has been transmitted together with

(Toronto, 1989). *Grammatical Questions* was published for the first time in Milan in 1493 together with a grammatical treatise of Demetrius Chalkokondyles (fifteenth century) and a treatise on the ancient Greek dialects by Gregory of Corinth (twelfth century). See A. Pertusi, "'Ερωτήματα: per la storia e le fonti delle prime grammatiche greche a stampa," *Italia Medioevale e Umanistica*, 5 (1962), 321–51, esp. 327–29, 337–39.

6 Pachymeres II.iii, 267–269 (Dölger, *Regesten*, 2192, 2193). Nikephoros Moschopoulos was well known to his contemporaries, since manuscript titles of Manuel's works often identify Manuel as the nephew of the metropolitan of Crete. See M. Treu's notes in *Maximi Monachi Planudis Epistulae*, ed. M. Treu (Breslau, 1890, repr. Amsterdam, 1960), 209–10. On the career of Nikephoros Moschopoulos, see PLP 19376.

7 *Maximi Monachi Planudae Epistulae*, no. 18, 33–34. On Moschopoulos' teaching activities, see C. Constantinides, *Higher Education in Byzantium in the Thirteenth and Early Fourteenth Centuries (1204-ca. 1310)* (Nicosia, 1982), 103–08.

8 L. Levi, "Cinque lettere inedite di Emanuele Moscopulo," *Studi Italiani di filologia classica*, 19 (1902), 55–72, published three letters, the dossier of the treatise, and a solemn promise by Moschopoulos that he would never subvert the imperial authorities. Three more letters were published by Ševčenko, "The Imprisonment of Manuel Moschopulos," 136–44. Manuel Moschopoulos wrote five of these letters in prison and addressed them to Joseph the Philosopher, his uncle Nikephoros, the grand logothete Constantine Akropolites, the logothete *tou genikou* Theodore Metochites, and an unnamed official. The sixth letter is addressed to anonymous literary opponents, some of whom were his former students. Another letter addressed to Andronikos II forms part of the dossier of the treatise and is closely related to its content.

his correspondence.[9] Its purpose was to demonstrate that oaths of allegiance to the emperor were a legitimate, just, and useful tool in imperial government. Moschopoulos summed up some of the treatise's arguments in a special letter to Andronikos II. This letter (of which two incomplete drafts have also survived) is important for establishing the addressee of the treatise.[10] Here Moschopoulos appealed to Andronikos II to pardon a certain student of his by the name of Matarangides. This Matarangides had declined to take an oath of allegiance, using as an excuse the scriptural prohibition on swearing. For this reason he had been placed under arrest. The teacher assured the emperor that his student's loyalty to the regime was unflinching. Moschopoulos also declared that he would undergo the same punishment, that is, go to prison, should Matarangides act disloyally upon his release from arrest and dare to travel outside Constantinople. Thus it is evident that the addressee of the treatise was Moschopoulos' student Matarangides, whom his teacher took pains to convince of the legitimacy of oath-taking.[11] The emperor was hardly the intended reader of the treatise, although it is possible that Moschopoulos sent the treatise also to Andronikos II, as a proof of his statement in the letter that he was urging other people to swear allegiance to the emperor.[12] Matarangides himself was not a Constantinopolitan, but originated from the city of Dyrrachion or its environs, whence he came to study in Constantinople, most probably attracted by Moschopoulos' fame as a teacher. Not only is his name of Albanian derivation, but the local metropolitan of Dyrrachion together with Moschopoulos made a common pledge on behalf of Matarangides' loyalty. The metropolitan promised to excommunicate Matarangides should the

9 Levi, "Cinque lettere," 64–67, published the treatise in 1902 on the basis of Cod. Marc. gr. Cl. 11.15. See A. Heisenberg's comments on Levi's edition, BZ, 11 (1902), 581–582. Ševčenko, "The Imprisonment of Manuel Moschopulos," 152, n. 26a, has published new readings from Paris, Bibl. Nat., Cod. Coisl. gr. 341.

10 Levi, "Cinque lettere," 66–68. The full form of this letter (published by Levi on the basis of Marc. gr. Cl. 11.15) survives also in three other codices: Paris, Bibl. Nat., Cod. Coisl. gr. 341, Bodl. Auct. F. 3.25, and Bodl. Barocci 120 (containing Moschopoulos' recension of the works of Euripides). These three codices contain different readings (cf. Ševčenko, "The Imprisonment of Manuel Moschopulos," 152, n. 27) and an important addition (cf. Ševčenko, "The Imprisonment of Manuel Moschopulos," 148), where Moschopoulos mentions that his student Matarangides was in prison. According to Ševčenko, the final draft of the letter is the one found in Cod. Marc. gr. Cl. 11.15.

11 Ševčenko, "The Imprisonment of Manuel Moschopulos," 154, n. 72, has already suggested that Matarangides was most probably the addressee of the treatise. By contrast, Svoronos considered its audience to be the emperor.

12 Levi, "Cinque lettere," 67.10–12: καὶ ἐγὼ μὲν περὶ τούτων ταύτην ἔχω τὴν γνώμην, καὶ τοὺς ἄλλους οὕτως παραινῶ ἔχειν.

latter, upon his release from prison, participate in subversive activities and travel outside Constantinople.[13]

Scholars have disagreed as to the date when Moschopoulos composed the treatise. Svoronos has argued that Moschopoulos wrote it in 1321 – in connection with the oaths of allegiance which Andronikos II required from all his subjects shortly before the onset of the First Civil War (1321–28).[14] Much more plausible is Ševčenko's hypothesis that Moschopoulos wrote the work shortly before he was imprisoned. On the one hand, almost all of Moschopoulos' letters (with which the treatise has been transmitted) pertain to the affair of his imprisonment in 1305–06. On the other, it is rather improbable that Moschopoulos would have pledged on behalf of his imprisoned student after his own dreadful and traumatic experiences in prison, so vividly described in his letters.[15] As we will see, the sources enable us to pinpoint to June 1305 the specific oath which Matarangides declined to swear. It is tempting to seek the cause for Moschopoulos' own imprisonment in his promise, perhaps a very naive one, on behalf of Matarangides, who may have indeed been involved in plotting and subverting the imperial authorities. Nevertheless, Moschopoulos' letters from prison do not refer to his student and present a rather different cause for his misfortunes. There are two sides of Moschopoulos' story. We get only a sketchy glimpse into the real reasons why Moschopoulos was arrested. In a special promissory document Moschopoulos confessed that he had undermined the emperor's authority and had authored subversive writings. He promised never to engage in similar disloyal actions.[16] Thus Moschopoulos was hardly an innocent man tricked, as he claimed elsewhere. On the other hand, the letters Moschopoulos addressed from prison to his uncle and to powerful imperial officials present him as a victim of circumstances. We may

[13] On the Albanian origin of the name Matarangides, see Ševčenko, "The Imprisonment of Manuel Moschopulos," 147, n. 71, and below, nn. 31 and 32. Moschopoulos mentioned the guarantee by the metropolitan of Dyrrachion in one of the drafts of his letter to Andronikos II. See Levi, "Cinque lettere," 68. This metropolitan of Dyrrachion may have been a certain Gregory, who signed a patriarchal document in 1315. See H. Hunger et al., *Das Register des Patriarchats von Konstantinopel*, vol. 1 (Vienna, 1981), no. 4, 132. He was still not ordained in October 1304, when he is mentioned as a candidate-metropolitan in the novel of Athanasios. See Zepos, JGR, vol. 1, 534.

[14] Svoronos, "Le serment de fidélité," 130–33, suggested that Matarangides opposed the oaths of 1321 and was imprisoned, using as an argument for this dating the fact that the title of the letter to the emperor summing up the treatise's content in Paris, Bibl. Nat., Cod. Coisl. gr. 341 calls Manuel Moschopoulos a nephew of the *ex-bishop* of Crete Nikephoros Moschopoulos. As Ševčenko has noted, however, titles in manuscripts reflect most often the situation when the manuscript was copied, not when the text was written.

[15] See Ševčenko, "The Imprisonment of Manuel Moschopulos," 148.

[16] Levi, "Cinque lettere," 59. We learn that Moschopoulos has committed bad deeds deserving shame. He had also put these in writing. Andronikos II had already pardoned him.

sum up the information found in these letters, while not forgetting that Moschopoulos had the obvious agenda of proving his innocence and was writing in difficult circumstances.

In 1305 Manuel's powerful uncle Nikephoros was forced to leave Constantinople after a period of more than twenty years' residence in the imperial capital. The recently reappointed patriarch Athanasios I, with whom Nikephoros did not get along well, insisted that all local bishops resident in Constantinople should return to their ecclesiastical sees and take care of their flocks. As the metropolitan of Lakedaimonia (in addition to being the metropolitan of Crete), Nikephoros moved to the city of Mystras in the Peloponnese.[17] He left behind in Constantinople his extensive library, which his nephew apparently promised to bring to him in person. During autumn 1305 Manuel Moschopoulos left Constantinople together with the books and in the company of four monks. As he wrote from prison to his uncle, the initial destination of the traveling party was the island of Lesbos, but they speedily returned to Constantinople, for the weather was bad and the sea infested with hostile Catalans.[18] Then a second attempt to leave the city, this time overland, was made. The monks bought horses (for an outrageous price) and managed to set off on their journey in wintertime together with the books, but with Moschopoulos no longer in their midst. While arrangements for travel were being made, Moschopoulos became somehow introduced to a certain Cypriote, a sly character, who coveted his uncle's books. This man and his associate Kalamenos caused his imprisonment. They tricked Moschopoulos into swearing an oath which had initially appeared to him to be in the name of a noble and benign cause.[19] Later, however, it turned out that he had been implicated in subversive clandestine activity, apparently a conspiracy against Andronikos II, and

[17] In October 1304 Nikephoros Moschopoulos was still in Constantinople, as he is mentioned in the novel of Athanasios. See Zepos, JGR, vol. 1, 534. Nikephoros Moschopoulos was a close associate of Patriarch John XII Kosmas (1294–1303), Athanasios' predecessor on the patriarchal throne. See Pachymeres II.iv, 383. In 1305 Nikephoros Moschopoulos left the capital. Patriarch Athanasios' letter to Nikephoros Moschopoulos, thanking the metropolitan for his imminent departure, has been preserved. See A. Papadopoulos-Kerameus, "Νικηφόρος Μοσχόπουλος," BZ, 12 (1903), 217–19. On the date of Nikephoros Moschopoulos' departure and his activities in Mystras, see *Correspondence of Athanasius*, 338–39 (with further bibliography). Cf. Ševčenko, "The Imprisonment of Manuel Moschopulos," 147, n. 69.

[18] Levi, "Cinque lettere," 60–63.

[19] This information is found in Moschopoulos' letter to the grand logothete Constantine Akropolites, written during the author's imprisonment. See Ševčenko, "The Imprisonment of Manuel Moschopulos," 136.26–27: "As for myself, I have been deceived to swear an oath by the Maker of Heaven and Earth in a morally edifying matter; such was indeed the scheme of these rogues" (Ἔγωγε μέντοι ἐπὶ πράγματι ἐς ψυχὴν τὴν ὠφέλειαν παραπέμποντι, οὕτω γὰρ ᾠκονόμησαν οἱ ἀπατεῶνες ἐκεῖνοι, ἐξηπάτημαι ὅρκον θεῖναι τοῦ οὐρανοῦ καὶ γῆς ποιητήν) (trans. Ševčenko).

was arrested. In his letters to high imperial officials Moschopoulos complained about the jarring prison conditions, professed to be completely innocent and reminded his correspondents that Andronikos II and the synod had already pardoned him. Contrary to the emperor's orders, however, he continued to be detained in a dungeon together with Catalans, Turks and thieves, while Kalamenos had already been freed. The evil Cypriote was still in prison, but unlike Moschopoulos was well provided with food. Although Moschopoulos does not mention the plot in which he took part, the conspiracy of the Arsenite priest John Drimys in late 1305 (precisely at the time when Moschopoulos wanted to leave Constantinople) is a good candidate for the explanation of why Moschopoulos found himself in prison. The pledge on behalf of Matarangides thus was not the cause for Moschopoulos' imprisonment. Rather, the author appears to have taken care to preserve the treatise and the letter to the emperor as a sort of personal dossier which proved beyond doubt that he was an honest man and loyal subject.

A look at events in the empire during the years 1304–05 can give us clues on dating the treatise and can shed light on the identity of its addressee, Matarangides. In the initial years of the fourteenth century the empire of Andronikos II faced a grave crisis. The Turkish conquest of Byzantine Asia Minor, which had begun during the reign of Michael VIII, entered a new, disastrous phase after the battle of Bapheus near Nikomedeia on 27 July 1302. The Turks overran Bithynia and disrupted communication between Constantinople and the beleaguered cities of Asia Minor. In his efforts to roll back the tide of Turkish conquest, Andronikos II relied mostly on foreign mercenaries. They turned out to be an unreliable lot, constantly in need of cash which the imperial government could not always supply. After hiring Alan soldiers whom the Turks routed at Bapheus, in 1303 Andronikos II invited a contingent of seasoned Western mercenaries – the Catalan Grand Company – to come to the empire's help. The Catalans wrought havoc on the areas of Asia Minor where they campaigned, irrespective of whether these were under Turkish or Byzantine control. On the failure of Andronikos II to pay them a sufficient amount of money, they occupied the strait of Gallipoli, inflicted a crushing defeat on the Byzantine army at Apros on 10 July 1305, and began to raid Thrace. In the next six years until their eventual settlement in Attica (1311), the Catalans lived off pillaging and plundering the Byzantine lands through which they passed.

The Turkish conquests of Asia Minor after the battle of Bapheus sent a stream of refugees into Constantinople. Aristocrats and common folk flooded the city. Some planned to move thence into the Balkan parts of

the empire which were under solid imperial control. This, of course, was no longer an easy task after 1305 because of the Catalan occupation of Thrace. Most of the Anatolian émigrés bitterly resented the inefficient government of Andronikos II. Some questioned the emperor's wisdom of having hired mercenary forces.[20] Others blamed him for his short-sighted decision twenty years earlier to disband the Byzantine fleet, which was badly needed for fighting off the Catalans.[21] The most radical critics of Andronikos II viewed him as an incompetent and illegitimate ruler. They stirred a series of conspiracies and civic disturbances in Constantinople. In early 1304 Andronikos II suspected his brother-in-law, Despot Michael Angelos, of hatching a secret plot against him. Formerly married to the emperor's late sister Anna and currently betrothed to a daughter of the Bulgarian tsar George I Terter (1280–92), Despot Michael had required Byzantine soldiers retreating from Asia Minor to take an oath to him, according to which they became "friends of his friends and enemies of his enemies." The historian Pachymeres considered this oath to be an imperial monopoly, and Moschopoulos would discuss it in his treatise.[22] On 13 March 1304 the high imperial tribunal sentenced Despot Michael Angelos to life imprisonment and confiscated his enormous wealth.[23] In 1305 there were plots and popular riots in Constantinople. In early May the Catalan general in imperial service, the grand domestic Ferran d'Aunés, and the Byzantine general Theodore Raoul Mouzakios rebelled against Andronikos II, but were apprehended.[24] In late May 1305 the populace of Constantinople, led by newly arrived Anatolian émigrés, rioted against the Catalan mercenaries residing in the city. Then they turned their anger against the Byzantine upper classes – the unworthy beneficiaries of a rotten regime – and tried to burn the houses of the rich.[25] Sometime in 1305 a pamphlet denouncing

[20] Pachymeres II.iv, 369, 595–597. On 11 June 1305 Andronikos II addressed the high officials of the empire in a public address, where he justified his decision to employ foreign mercenaries.

[21] Ibid., 581.

[22] Ibid., 435–37, esp. 435.8–9: ἦν δ' ὅρκος βασιλεῖ πρέπων, οἶμαι, καὶ μόνῳ. We also learn that Despot Michael Angelos himself took an oath to the soldiers.

[23] Ibid., 447–49.

[24] Ibid., 653. I am following here the chronology established by Albert Failler, "Le complot antidynastique de Jean Drimys," REB, 54 (1996), 235–44, and A. Failler, "Ferran d'Aunés gentilhomme catalan," REB, 53 (1995), 327–33. Failler has shown on the basis of a careful reading of Pachymeres and Muntaner that the rebellion led by the generals Ferran d'Aunés and Theodore Raoul Mouzakios (called Mouzakes by Pachymeres) were distinct from that headed by the Arsenite John Drimys. The grand domestic Ferran d'Aunés perished on 28 May 1305 in the fires set by the populace of Constantinople on the house of Raoul Pachys, where the Catalan general was kept under house arrest.

[25] Pachymeres II.iv, 583.5–6: ὥρμων δ' αὐτίκα καὶ ἄλλαις οἰκίαις ἐπιχειρεῖν, καὶ μάλιστα μεγιστάνων.

Andronikos was found, daringly placed on the ceremonial throne of the emperor.[26]

In these extreme circumstances Andronikos II sought a reaffirmation of his subjects' faltering loyalty. In June 1305 he moved troops into Constantinople and exacted from the entire population of the capital a dynastic oath of allegiance to himself and his son, the co-emperor Michael IX Palaiologos. According to Pachymeres, the imperial agents went from house to house and forced the subjects to swear with a hand on the gospel that they would not take part in conspiracies.[27] Pachymeres – or most probably a later interpolator – did not approve of this oath. He criticized it as an ungodly requirement whose sole achievement was to breed sin. This line of criticism rested on a long-standing ecclesiastical tradition of disapproval of oath-taking in any form.[28] The criticism of the specific oath of June 1305 is significant for establishing the precise context of Moschopoulos' treatise. His student Matarangides had used the very same reasoning when he declined to take an oath of allegiance to Andronikos II. In his letter to Andronikos II Moschopoulos described how his student's heart had been perturbed at the sheer thought of having to swear.[29] Moschopoulos, therefore, appears to have written the treatise in or shortly after June 1305, addressing the particular situation in which his student found himself. Soon thereafter the teacher was to follow his student's fate.

Special circumstances must have made Matarangides particularly suspicious in the eyes of the imperial authorities. In 1304 disturbing news reached Constantinople from Matarangides' native region of Dyrrachion. Throughout the thirteenth century Dyrrachion was continuously fought over among Byzantines, Epirotes, Western powers, and Serbian forces. In

[26] Ibid., 629–631.

[27] Ibid., 599.3–5: πάντα δὲ διχονοίας τρόπον καὶ στάσεως μήτ' αὐτοὺς ἐνεργεῖν, καὶ τοὺς ἄλλους, ἥν που καὶ θορυβοῖεν, δισίν, ὃ λέγεται, χερσὶν ἀντωθεῖν.

[28] This moralizing comment appears in only two manuscripts of Pachymeres' *History*. In his critical edition (Pachymeres II.iv, 598, n. 76) Failler attributes the remark to an interpolator. The critical remark (ibid., 599, n. 84 of the *apparatus criticus*) runs as follows: "The desire for this world is an awful thing, as it also is not to set one's hopes on divine providence, but to fix one's gaze on earthly matters and to be attached to them as something lasting. Hence the swarm of sin is unleashed." At the origin of the ecclesiastical disapproval of oath swearing lay Christ's admonition (Matthew 5:34) that one should never swear. The fathers of the church elaborated on this prohibition, and Byzantine monastic florilegia regularly criticized swearing in any form. See Maximos the Confessor, *Loci Communes*, PG, vol. 91, cols. 892–93; John of Damascus, *Sacra Parallela*, PG, vol. 96, cols. 220–21. The views of the church stood in stark contrast to the legal requirement that witnesses should swear oaths in the court of law. Cf. Harmenoupolos, *Hexabiblos*, 1,7, ed. Pitsakes, 57–59.

[29] Levi, "Cinque lettere," 67.15–17: "For he says that he fears the oath and moreover he sees that his own heart is hardened" (δεδοικέναι γὰρ λέγει τὸν ὅρκον καὶ μάλισθ' ὅτι τὴν ἑαυτοῦ καρδίαν σκληρυνομένην ὁρᾷ).

1256 the Nicaean empire annexed the city for the first time from the Epirotes. In 1296 the Palaiologoi irretrievably lost control over Dyrrachion, as the Serbs gained possession of the city.[30] In the late thirteenth century the imperial government sought allies in the area among local Albanian lords. In 1297 members of the powerful Albanian clan of the Matarangoi are attested as subjects of the Byzantine emperor. The Matarangoi owned flocks near the lagoon of Karavista, located between the cities of Valona and Dyrrachion.[31] Their allegiance to the empire was hardly a steady one. In 1304 Philip of Taranto (grandson of Byzantium's erstwhile arch-enemy Charles of Anjou) wrested the city of Dyrrachion from the Serbs. In the same year the Matarangoi clan threw off its allegiance to Constantinople and eagerly accepted Philip of Taranto's overlordship.[32] Unfortunately, Matarangides' relationship to the powerful clan of the Matarangoi is unknown. Matarangides' name is a version of Matarangos, and his studies in Constantinople presuppose a high social status. Representatives of the Matarangos family entered into the service of the Byzantine emperor and rose high in the administration. In 1330 Nicholas Matarangos became one of the four general judges, that is, member of the highest imperial tribunal, and played a prominent role during the Second Civil War. Matarangos' Albanian origin was well remembered: a contemporary still called him a "barbarian" renowned for his virtuous character.[33]

[30] The despotate of Epiros ceded Dyrrachion to Nicaea in 1256. In 1257 the city fell into the hands of Manfred, king of Sicily. Michael VIII Palaiologos then retook it in the aftermath of the battle of Pelagonia in autumn 1259. In about 1271 Dyrrachion was struck by a powerful earthquake and fell into the hands of the armies of the king of Sicily, Charles of Anjou. Between 1284 and 1288 Byzantium regained Dyrrachion, but in 1296 lost the city to the Serbs. For these dates, see D. Nicol, *The Despotate of Epiros 1267–1479. A Contribution to the History of Greece in the Middle Ages* (Cambridge, 1984), 14–16, 39, 67–68, 99, 128.

[31] On 15 November 1297 two Ragusan traders complained that the Matarangos clan had seized their merchandise. The Matarangoi were described as people "under the rule" (*sub dominio*) of the Byzantine emperor and their main occupation as cattle raising. See *Acta et diplomata res Albaniae mediae aetatis illustrantia*, ed. C. Jireček, E. de Šufflay, and L. de Thallóczy (Vienna, 1913), no. 528, 156–57: *homines Matarangi de Caravastassi, qui sunt sub dominio domini Imperatoris, violenter et malo modo arrobaverunt eos de mercacionibus infrascriptis*. Cf. A. Ducellier, *La façade maritime de l'Albanie au Moyen Age. Durazzo et Valona du XI^e et XV^e siècle* (Thessaloniki, 1981), 325. The Matarangoi might have become imperial subjects in the years 1284–88, when the region of Dyrrachion, Kanina, and Valona was incorporated into the empire.

[32] On Philip of Taranto's conquest of Dyrrachion in 1304, see Nicol, *The Despotate of Epiros 1267–1479*, 128. On 5 September 1304 Prince Phillip of Taranto thanked a certain Matarangos for becoming *again* his vassal and thus reverting to his old allegiance. See *Acta et diplomata res Albaniae*, no. 564, 166: *nos huiusmodi reversionem tuam gratam habentes pariter et acceptam te ad fidem et mandata ipsa taliter redeuntem benigne suscipimus et te in iilis* [*sic*]. It appears that in the past (perhaps before 1284–88) this local lord, Matarangos, had been the vassal of Philip of Taranto or his grandfather (Charles of Anjou). Later he became subject to the Byzantine emperor, but now he reconsidered his allegiance.

[33] The quote is from a letter of the *parakoimomenos* John Choumnos to the *megas dioiketes* Kabasilas. See J. Boissonade, *Anecdota nova* (Paris, 1844; Hildesheim, 1962), 211–13. Cf. Ševčenko, "The

The oaths of June 1305 did not avert new plots against Andronikos II. Later on in the same year a conspiracy to topple the Palaiologan dynasty was exposed. Its organizer, John Drimys, claimed to be the unjustly deposed child-emperor of Nicaea John IV Laskaris (1258–61). The conspirators drew on the support of the Catalans outside the city and the Arsenites, who were always ready to side with the anti-Palaiologan faction.[34] Yet another group of conspirators must have coalesced at that time. Its backbone consisted of disgruntled Byzantine generals who had withdrawn their troops from Asia Minor on account of the Turkish conquests and Andronikos II's policy of reliance on mercenaries. They regarded the titular Latin emperor of Constantinople – Charles of Valois, the brother of the French king Philip IV the Fair (1285–1314) – as a better option for the embattled empire, reasoning that the Western ruler would restore Byzantine control over Asia Minor. For them Andronikos II was an illegitimate emperor ruling the empire "contrary to nature."[35] He had to be ousted from the throne at any cost. In 1307 they contacted the French claimant to the Byzantine crown; their plans never materialized.[36]

The conditions of political instability, plots, and suspicion left their imprint on Moschopoulos' treatise. In fact, Moschopoulos was among several Byzantine literati whose political thinking was deeply affected by the adverse turn of events in the first decade of the fourteenth century. The critical situation in the empire moved Thomas Magistros, most probably in about 1304, to compose his reform tract *On Kingship*, in which, as we saw, he attacked imperial taxation and inveighed against many of the social ills that plagued the empire. It was during the same crisis that the patriarch Athanasios rethought in his letters the relationship between the emperor

Imprisonment of Manuel Moschopulos," 154, n. 73. In a corruption scandal in 1337 Nicholas Matarangos was the only one of four colleagues to be found innocent. Later on Matarangos became a Kantakouzenist and a fervent Palamite. Cf. PLP 17260.

[34] The traditional date for the conspiracy of John Drimys is late 1305 and early 1306. See Laiou, *Constantinople and the Latins*, 197–98; A. Stavridou-Zafraka, "Η συνωμοσία του Ιωάννου Δριμέος εναντίον του Ανδρονίκου Β΄ (1305/6)," *Επιστημονική Επετηρίδα της Φιλοσοφικής Σχολής του Αριστοτελείου Πανεπιστημίου Θεσσαλονίκης*, 21 (1983), 461–87. Failler, "Le complot antidynastique de Jean Drimys," has suggested that Drimys' conspiracy was exposed in summer 1305, shortly after the rebellion led by Ferran d'Aunés and Theodore Raoul Mouzakios (May 1305). A *terminus post quem* for John Drimys' conspiracy is June 1305, because the patriarch Athanasios wrote in a letter to Andronikos II that Drimys had breached oaths, which are likely to include the special oaths sworn to the emperor in June 1305. See *Correspondence of Athanasius*, 204.46.

[35] This expression is found in the letters which two Byzantine generals – Constantine Doukas Limpidaris (former commander of troops in Asia Minor) and John Monomachos (commander of the garrison in Thessaloniki) – addressed in 1307 to Charles of Valois. See H. Moranville, "Les projets de Charles de Valois sur l'Empire de Constantinople," *Bibliothèque de l'École des Chartes*, 51 (1890), 83–84 (= MM, vol. 3, 243) and Laiou, *Constantinople and the Latins*, Appendix II, 342.15–17.

[36] Laiou, *Constantinople and the Latins*, 200–20.

and the church, formulating, as we shall see, unusual hierocratic arguments. It was again in the first decade of the fourteenth century that Pachymeres was writing his history, or at least making its final revisions. The loss of control over Asia Minor, the Catalan fiasco, and the resultant social turmoil shook the Byzantine mind to its foundations and prompted a number of contemporary literati to reconsider the nature of the empire.

GOVERNMENT BY OATH AND CONTRACT

In his treatise Moschopoulos explained to his student the nature of a state and of the Byzantine monarchy in particular. The work consists of two sections. The first part is lengthier, more original, and highly imaginative: a description of the birth of the state as a social covenant. The second, shorter portion of the tract carries a vehement polemic against the church's negative attitude to swearing an oath. Moschopoulos opened the treatise by presenting a historical reconstruction of the rise of the state. The birth of the state was a three-stage process, which began with simple cohabitation, continued with the creation of the polity, and ended with the invention of the oath. It was an evolutionary process that occurred, progressing by trial and error. The treatise opens with a description of humankind in its primal condition before the formation of the state. Moschopoulos accepted a priori that humans – including the first pre-state humans – tended to specialize in their economic pursuits. The first humans were tillers of the land and craftsmen, such as gardeners, potters, builders, cooks, bakers, tanners, cobblers, and tailors. Since people of each profession needed the products of the others' labor, they found themselves compelled to live together in a community.[37] The necessity for food and shelter was thus the driving cause behind the emergence of the polity.

The description of the nascent state in the context of a political treatise was certainly not Moschopoulos' invention. Both Plato in *The Republic* and Aristotle in his *Politics* had done the same. Aristotle reconstructed the state on the basis of its constituent elements: the family, the relationship between masters and slaves, the household, and so on. By contrast, Plato reconstituted the state historically and saw its emergence as a union among people

[37] Levi, "Cinque lettere," 64.1–3: "In the beginning man was compelled to form a community and to be herded together on account of the circumstance that one individual was not capable of being sufficient by himself" (Τὴν ἀρχὴν ἄνθρωπος διὰ τοῦτ' ἐπὶ συνοικίαν ἐλθεῖν ἠναγκάσθη, καὶ συναγελασθῆναι, ἐπεὶ μὴ ἦν ἱκανὸς εἶς ἑαυτῷ ἐξαρκεῖν); ibid., ll. 7–8: "many gathered together out of necessity in order that each, offering his own, would receive from the others" (συνῆλθον οὖν ἐξ ἀνάγκης πολλοί, ἵν' ἕκαστος τὸ ἑαυτοῦ προτείνων τὸ παρ'ἑτέρων λαμβάνῃ).

who gathered together to share the products of their labor.[38] Moschopoulos evidently borrowed the idea of reconstructing the state historically as an economic union from Plato's *Republic*. Moschopoulos' indebtedness to *The Republic* is further seen in cases of textual borrowing. The Byzantine author referred to some of the same professions mentioned by Plato: tillers of the land, builders and cobblers. In the second part of the treatise Moschopoulos called the salaried soldiers in the emperor's service his "guardians" (*phylakes*), just as was the warrior class in Plato's *Republic* but in contrast to contemporary Byzantine nomenclature.[39] The Byzantine scholar, like the ancient philosopher, described the origin of the state in the context of a broader discussion of the nature of justice. Moschopoulos saw the origin of justice in a social contract struck when the state was born. He reasoned that the creators of the first state, drawn together by economic necessity, tended to quarrel and engage in infighting. The emergence of internecine conflict was thus the flip side of the birth of the state. Since humans were endowed with reason, however, they imagined a rectification of this endemic state of conflict. They arrived at the decision to appoint a single person, or a number of individuals, with outstanding experience and intelligence to judge the rest and rule over them. This supreme judge or judges had the duty of resolving disputes and petty squabbles.[40] Moschopoulos' idea of a social contract also betrays the influence of Plato's *Republic*. In the beginning of the second book of *The Republic* one of Socrates' interlocutors, Glaucon, proposed a theory of justice as a covenant made in the nascent state.[41] Yet the Byzantine soon parted ways with what he had read in *The Republic*. Glaucon's views of a social covenant had little to do with the emergence of a monarchical constitution. Glaucon's opinions were in fact not identical with Socrates', but were one of the several views which Plato presented in order to contrast them with his own conception of justice. In *The Republic* Plato understood justice as a principle by which each individual pursued his own duties, for which he was suited by nature,

[38] Aristotle, *Politics*, 1252b ff.; Plato, *Republic*, 369a ff.

[39] Levi, "Cinque lettere," 65.18–19: ὅταν δὲ ὁ τῶν ἄλλων κρατῶν ἐθέλῃ περὶ ἑαυτὸν ἔχειν τινάς, ἵνα εἶεν αὐτῷ φύλακες καὶ ὑπέρμαχοι. Cf. Plato, *Republic*, 375c ff. As Moschopoulos explains later, these "guardians" and "defenders" should receive salaries: μισθοί. According to Plato's *Republic*, 543b, the guardians were to be supplied with provisions and necessities for their daily life, but not money. Cf. *Timaeus*, 18b.

[40] Levi, "Cinque lettere," 64.12–14: "[The rectification] was to appoint some individual, or many individuals, excelling in intelligence and experience, to be the judge and ruler of all the rest" (ἡ δ' ἦν ἕνα τινὰ καταστῆσαι φρονήσει καὶ ἐμπειρίᾳ διαφέροντα τῶν ἄλλων κριτὴν ἁπάντων εἶναι καὶ ἄρχοντα, ἢ καὶ πλείους).

[41] Plato, *Republic*, 358e–359b. Cf. E. Barker, *The Political Thought of Plato and Aristotle* (London, 1906), 36, 99–100; K. Moors, *Glaucon and Adeimantus on Justice* (Washington, 1981), 15–18.

in a strictly regimented society consisting of three different classes – the productive class, the military class, and the ruling class.[42] Plato presented his own understanding of human justice within an imaginary state. By contrast, Moschopoulos was firmly grounded in the political realities of the time and spoke of well-known Byzantine institutions and forms of government.

The Byzantine author reasoned that at the time of the social covenant different forms of political organization arose. Polities evolved into monarchies or aristocracies, depending on whether a single individual or a number of people ruled over the rest. The monarchical constitution, Moschopoulos reasoned, was better and more stable than the aristocratic one, because suspicion and mistrust tended to arise among people sharing a single office.[43] The preference of a Byzantine for monarchy is hardly surprising. What is more remarkable is Moschopoulos' reasoning that the monarchy, like the aristocracy, was an unstable form of government. Having introduced kingship as the best polity, Moschopoulos observed that the subjects still continued to quarrel, fought each other, and conspired against the king. This sort of social behavior endangered the well-being and very existence of the state. In order to be able to live together in safety and trust each other, the subjects needed to secure a guarantee for their peaceful and untroubled future.[44] Moschopoulos reasoned that the thoughts of each individual were by their very nature concealed from the rest of society and were known only to the all-seeing eye of the Almighty. Therefore an oath of allegiance to the ruler sworn in the name of God was the best guarantee for peace, for it demonstrated each subject's "correct position" (*orthotes*) with respect to the other members of the polity.[45] For this reason every single Byzantine subject had to profess his allegiance to the emperor by taking a universally required oath. Moschopoulos called this oath a "political oath."[46] His arguments in this part of the treatise rest on his pessimistic assumption that conflict and envy are the hallmarks of humankind. Moschopoulos' dismal views clearly

[42] For an analysis of Plato's understanding of justice in *The Republic*, see J. Annas, *An Introduction to Plato's Republic* (Oxford, 1981), 72–108, 153–69, 294–320; G. Vlastos, "Justice and Happiness in the Republic," *Platonic Studies* (Princeton, 1973), 110–39; E. Barker, *Greek Political Theory: Plato and His Predecessors*, 2nd edn. (London, 1925), 161–80; Barker, *Political Thought of Plato and Aristotle*, 116–19.

[43] Levi, "Cinque lettere," 64.16.

[44] Ibid., 64.16–65.2: "These matters having been thus established, because one individual or some of the people who have convened together, overcome by evil or for some reason of this sort, would engage in plots against the community or against the ruler of the community, a guarantee was sought lest these things easily occur" (τούτων οὕτω καταστάντων, ἐπεὶ τῶν συνεληλυθότων τις ἢ τινες διὰ μάχην τινὰ πρὸς ἕτερον ἢ διὰ πονηρίαν νικώμενοι ἢ τοιοῦτό τι ἕτερον ἐπιβουλεύσαιεν ἂν τῷ κοινῷ ἢ τῷ ἄρχοντι τοῦ κοινοῦ, ἵνα μὴ ταῦτα ῥᾳδίως γίνηται, ἐζητήθη ἀσφαλία [*sic*]).

[45] Ibid., 65.2–7.

[46] Ibid., 65.7–10, 65.27–31.

stemmed from observing the stormy Byzantine politics at the time and the plots against Andronikos II's regime.

The "political oath" was a social agreement which brought stability to the Byzantine monarchy by clearing everyone of the suspicion of plotting. This oath was not an arbitrarily imposed demand. Nor was the ruler entitled by divine right to receive this oath. Rather, it was an accepted and agreed-on convention, a result of historical evolution, that brought peace to the empire. Only in his letter to Andronikos II, where he recapitulated the arguments made in the treatise, did Moschopoulos add that an oath to a pious emperor crowned by God was fully in the nature of things.[47] Moschopoulos considered the "political oath" to be a social phenomenon existing outside Byzantium and common to the entire inhabited world. He spoke generally of an oath to any sovereign, and wrote that the "political oath" was exacted not only from "people ruled by an emperor, but also from those in polities and communities governed otherwise."[48] In his letter to Andronikos II Moschopoulos referred to this oath as a tie binding together cities and villages.[49] The understanding of the political oath as a worldwide phenomenon was connected to Moschopoulos' scheme of the historical evolution of humankind. This view must also have sounded quite appealing to the addressee of his treatise, Matarangides, who was a stranger to Byzantium.

The "political oath" was a relatively weak bond. The subjects committed themselves to be the ruler's "guardians," but were under no direct obligation to render military service. Nor did they receive any remuneration for "guarding" the emperor.[50] Rather, Moschopoulos understood the subjects' "guard" service negatively – as a duty not to support conspiracies and civil disturbances. Further, the oath-takers were not bound to be Byzantine subjects for ever. They were entitled to settle outside imperial territory, change their political allegiance, accept a new overlord, and even take part in wars against the empire – only provided that they would not disclose Byzantine state secrets. As an example of such a state secret Moschopoulos pointed to the sources for water supply: a matter of crucial importance for the city

[47] Ibid., 67.8–10: "One is obliged by necessity to swear an oath while residing among people governed by an emperor, a most pious emperor to whom God has given his scepters" (ἕως δ᾽ ἄν τις μετ᾽ ἀνθρώπων οἰκῇ βασιλεῖ διοικουμένων καὶ βασιλεῖ εὐσεβεστάτῳ καὶ ᾧ τὰ σκῆπτρα ὁ θεὸς ἔδωκεν, ὅρκον ἐξ ἀγάγκης ὀφείλει δοῦναι).

[48] Ibid., 65.29–31.

[49] Ibid., 66.28–31: πῶς γὰρ ἂν συνίσταιντο πόλεις καὶ κῶμαι, μυρίων ἐπ᾽ αὐτῶν συνερχομένων γνωμῶν, εἰ μὴ δεσμῷ τινι αὗται κατέχονται ἐπὶ τῷ ἑκάστην ἀνύποπτον εἶναι τῷ τε κοινῷ καὶ τῷ τοῦ κοινοῦ προστάτῃ; ibid., 66.35–36: τίς γὰρ ἂν πιστεύσειεν τῷ ἀνωμότῳ. The same rhetorical question also figures in the treatise: ibid., 66.10–11.

[50] Ibid., 65.10: τοῦτον οἱ ὀμνύντες ἄνευ μισθοῦ φυλάττειν ὀφείλουσι.

of Constantinople, which derived some of its drinkable water from aqueducts running hundreds of kilometers north into the Paroria mountains. The importance of the water supply system must have been even greater in 1305, when the Catalans were in Thrace and contemplated an assault on Constantinople. It was most probably through an abandoned aqueduct that the Nicaean reconnaissance contingent led by Alexios Strategopoulos had managed to penetrate into Latin-held Constantinople in 1261 and recapture the city.[51] This part of the treatise also bears a direct relation to Matarangides' situation. Moschopoulos presented the oath of allegiance in a light agreeable to his student, who could change his political allegiance when finding himself outside imperial territory and support the power ruling the Adriatic coast of Albania.

Moschopoulos contrasted the "political oath" (which all subjects had to swear) to another type of oath that only a limited number of special subjects took. He called this oath "an imperial oath,"[52] insisting that the ruler should not demand it from everyone, but only from a "willing people," who should receive salaries in exchange for service.[53] Thus the "imperial oath" involved a contractual, reciprocal agreement between the emperor and an individual. Moschopoulos expressed most clearly the idea of contract in comparing the emperor's special subjects to hired laborers working in a vineyard and receiving generous monetary rewards.[54] Unfortunately, the author did not elaborate on the obligations of either party. We only learn that the main duty of the special subject was to fight on the emperor's behalf: he swore to face danger in battle, to serve the emperor as his "guard and defender," and to be "a friend of his friends and an enemy of his enemies." When Moschopoulos referred to the reciprocal nature of the "imperial oath," he emphasized that he was expressing his own opinion on the matter. He remarked that it "appeared to him" that a person who exacted this oath from someone without paying him committed an injustice.[55] Clearly Moschopoulos believed that the emperor had no right to coerce anyone into taking the oath without repaying him for his service.

[51] On the method of the reconquest of Constantinople in 1261, on which the sources disagree, see Geanakoplos, *Michael VIII*, 104–10. On the water supply, see C. Mango, "The Water Supply of Constantinople," in C. Mango, G. Dagron et al. (eds.), *Constantinople and its Hinterland* (Aldershot, 1995), 9–18.

[52] Levi, "Cinque letter," 65.18–25.

[53] Ibid., 65.22–23: οὐκ ὀφείλει τινὰ βιάζεσθαι, ἀλλὰ μισθοὺς προτείνων ἑκόντας λαμβάνειν.

[54] Ibid., 65.23–25.

[55] Ibid., 65.27–29: "If somebody requires this oath from somebody without pay, it appears to me that he is doing this unjustly"(εἰ μὲν οὖν ἀπαιτεῖ τίς τινα τοῦτον τὸν ὅρκον ἄνευ μισθοῦ, οὐ δικαίως, ἐμοὶ δοκεῖ, τοῦτο δρᾷ).

The second part of the treatise addresses directly Matarangides' fear of swearing and contains a polemic on the ecclesiastical prohibition of oaths. Here Moschopoulos blunted the force of his opponents' argument by using scriptural references. Christ not only prohibited oaths, but also advocated peace, cautioned that the sinful outnumbered the virtuous, and counseled that no one should judge others lest he himself be judged.[56] Thus the Byzantine author underlined that communal peace was the highest good in a flawed humankind replete with sin. However, Moschopoulos' main counter-argument against the ecclesiastical prohibition of oath swearing was secular, and rested on his discussion in the first part of the treatise. Moschopoulos claimed that oath taking was a public institution integral to any state and thus stood outside the sphere of religious morality. He compared oath takers to soldiers and judges. In the same way that soldiers do not commit sins when killing in wartime and judges do not perpetrate crimes when trying criminals, so people who swear oaths to the ruler do no wrong, but only pay their due to the state.[57] The church itself accepted the use of oaths in ecclesiastical courts.[58] In the same train of thought Moschopoulos likened the institution of oaths to that of marriage. Both involved a special kind of morality. The person who swore oaths "in haste" was guilty of sinning, not unlike an adulterer who engaged in extramarital affairs. However, the bond of marriage exonerated the husband and wife from the sin of adultery. In the same way, the very existence of the polity exculpated one before God for swearing a public oath.[59]

THEORY AND REALITY: LATE BYZANTINE OATHS OF ALLEGIANCE

The universal "political oath"

While Plato's *Republic* inspired Moschopoulos to construct his theory of social covenant, contemporary political reality affected profoundly the arguments of the treatise. The preoccupation with plots against the emperor is peculiar to his work, clearly connected to the political turmoil of the years 1304–05. Most importantly, the central constituent part of the state, according to Moschopoulos, was an institution of crucial importance to late Byzantine imperial administration: the oath of allegiance to the ruler.

[56] Ibid., 65.31–66.1. The scriptural references, unnoted by Levi, are to Mark 9:50, John 8:1–11, and Matthew 7:1.

[57] Ibid., 66.4–8. [58] Ibid., 66.17–20. [59] Ibid., 66.9–14, 66.33–67.6.

Contemporary oath-taking practices enabled Moschopoulos to discuss ideas of the social contract in terms plausible to his audience and led him to strip the emperor of time-honored ideological attributes.

The two types of oaths to the emperor mentioned by Moschopoulos – the universal oath sworn by all subjects and the feudal, reciprocal oath sworn by special subjects – are well attested in late Byzantine documentary and narrative sources. Svoronos has traced the history of these oaths in Byzantium and has argued that their role increased significantly in the last centuries of the empire's existence. There still are unanswered questions that deserve our attention, especially with respect to the oath sworn by special subjects. Therefore we must reexamine oath-taking practices, paying particular attention to the profile and obligation of the special subjects, and scrutinizing the accuracy of Moschopoulos' description. The nature of Moschopoulos' "political oath" is clear. It was the oath of allegiance to the emperor and his dynasty which all late Byzantine subjects recurrently took. The earliest case of all Byzantine subjects swearing allegiance to the emperor and his successor is considered to have occurred in the late eighth century.[60] However, it was most probably not until the reign of Manuel I Komnenos (1143–80) that this oath became a regular, periodic requirement. On two occasions, in 1143 and 1171, Manuel requested an oath from all his subjects – something which the historian Niketas Choniates considered to be an innovation.[61] After 1204 the late Byzantine historians spoke of this oath as an established custom.[62] The subjects took the oath in critical times of power transition, when, for example, the ruler was on his deathbed or

[60] According to the chronicler Theophanes, the emperor Leo IV (775–80) required an oath from all subjects that guaranteed the succession rights of his son. See *Theophanis Chronographia*, vol. 1, ed. C. de Boor (Leipzig, 1883), 449–50. Cf. Svoronos, "Le serment de fidélité," 109. Rodolphe Guilland has noticed cases from the eight to the eleventh century when the entire senate took an oath, agreeing to accept the emperor's son as successor. A study of the practice of dynastic oaths during the middle Byzantine period is a desideratum. Cf. R. Guilland, "Le droit divin à Byzance," *Societas Philologiae Polonorum. Eos*, 42 (1947), 146. In 1067 the empress herself took an oath on remarriage that she would protect the succession rights of her children. See N. Oikonomides, "Le serment de l'impératrice Eudocie (1067): un épisode de l'histoire dynastique de Byzance," REB, 21 (1963), 105–08.

[61] Choniates calls the chief minister of Manuel I, the grand domestic John Axouch, an innovator (*eisegetes*) when requiring subjects to swear an oath of allegiance to the emperor on his sudden accession in 1143. The oath served to consolidate Manuel's hold on power and parry the claim to the throne of his older brother Isaac on grounds of primogeniture. See *Nicetae Choniatae Historia*, ed. J.-L. van Dieten (Berlin and New York, 1975), 46; *Synopsis Chronike*, MB, vol. 7, 215. Cf. Svoronos, "Le serment de fidélité," 110–11. In 1171 Manuel I's subjects took an oath guaranteeing the succession rights of his infant son Alexios. See A. Pavlov, "Sinodal'nyi akt Konstantinopol'skago patriarkha Mikhaila Ankhiala 1171 goda," VV, 2 (1895), 392–93.

[62] See Pachymeres I.i, 135.24; Gregoras II, 586.15–17; Kantakouzenos I, 395.24–396.2, II, 91.9–11.

shortly after his passing.[63] Other typical occasions for swearing this oath (similarly related to issues of succession) were the birth of an heir to the throne or the coronation of a co-emperor.[64] The Byzantine historians and official documents give us enough information about the content of the universal oath taken by the subjects. Its most important clause was dynastic and concerned an arrangement for succession. The subjects swore that they would accept the legitimacy of the emperor's son or designated successor. In the case of the latter's minority, they agreed that they would obey a guardian specially appointed in advance to govern the empire until the child-emperor came of age. The second important clause of the oath was the subjects' commitment not to assist in any way rival claimants to the throne. For example, the subjects of the first Nicaean emperor Theodore I Laskaris (1205–21) swore in 1208–10 that they would not support any enemy, "Byzantine or foreign, crowned or uncrowned, or even the grandsons of our lord Andronikos," that is, David and Alexios Komnenos, the rulers of Trebizond.[65] Often the church appended to this oath the excommunication of disloyal subjects who organized plots with the purpose of setting a usurper on the throne. This action by the church also indicates that the main goal of the oath was to ensure a smooth succession and consolidate the dynasty's hold on power.[66]

Moschopoulos agreed that the oath of allegiance sworn by all subjects involved their promise not to help rival claimants to the throne. In this way the "political oath" brought to the empire peace and stability. Even so, the author's silence regarding the strictly dynastic aspects of the oath is conspicuous. At a time when pro-Laskarid elements were fomenting a revolt against Andronikos II and the Palaiologan family, one could interpret the lack of reference to the ruling dynasty as intentionally subversive. This omission, however, seems to have been due to the brevity of the treatise rather than to an anti-Palaiologan agenda. Peace and stability constituted

[63] See Akropolites, 154 (before the death of Theodore II Laskaris); Gregoras I, 295–96 (the death of Michael IX); Gregoras I, 440, and Kantakouzenos I, 395.24–396.2 (the sickness of Andronikos III); Gregoras II, 586, and Kantakouzenos II, 91.9–11 (the death of Andronikos III).

[64] For the birth of an heir see above note 61. For oaths at coronations, see Pachymeres I.ii, 415 (coronation of Andronikos II); Gregoras I, 109 (coronation of Andronikos II); Kantakouzenos II, 161 (coronation of John VI Kantakouzenos).

[65] N. Oikonomides, "Cinq actes inédits du Patriarche Michel Autôreianos," REB, 25 (1967), 123.32–36: καὶ οὐ μὴ φρονήσωμεν ἢ μελετήσωμεν ποτὲ κατά σου, ἢ τοῦ σώματός σου ἢ τῆς βασιλείας σου, ἀλλ' οὐδὲ ἑτέρῳ τινὶ . . . συμφρονήσωμεν, ὁποῖος ἂν καὶ εἴη οὗτος, Ῥωμαῖος ἢ ἐθνικός, ἐστεμμένος καὶ μὴ τοιοῦτος, μὴ καὶ αὐτοὶ οἱ ἔγγονες τοῦ κῦρ Ἀνδρονίκου.

[66] Pachymeres I.ii, 415. The historian explains that Michael VIII feared a rebellion by his brother, Despot John Palaiologos, and asked the church to append excommunications to the oath. The church objected to these political excommunications. For a further discussion, see chapter 11, pp. 397–98.

the highest social good for Moschopoulos – a fact which suggests that he might not have approved of disputes over succession. The "political oath," as described by Moschopoulos, stands in stark contrast to certain variations of the oath of allegiance taken by all subjects, which contained a provision for their active military service to the emperor. Such was the famous double oath sworn in December 1258 to both the underage child-emperor John IV Laskaris and to Michael VIII Palaiologos, who was about to be proclaimed co-emperor on 1 January 1259. This oath, drafted by the *protaskretis* Michael Senacherim and enjoying the special approval of Patriarch Arsenios, obligated all Nicaean subjects to fight for the rights of each emperor. The subjects promised to kill the ruler who conspired against his partner. The historian Pachymeres did not approve of this oath, which he deemed the cause of rebellions in Asia Minor and a reason for the alienation of the Anatolian population from Constantinople after Michael VIII's usurpation.[67] Indeed, the Arsenites (many of whom were Laskarid supporters) remembered this oath very well throughout the Arsenite Schism (1265–1310), and formally agreed to its annulment only in 1310, the year when they were reconciled with the patriarchate of Constantinople and the Palaiologan dynasty.[68] Moschopoulos, like the historian George Pachymeres, did not approve of an oath that committed the entire population of the empire to active military duty on behalf of the emperor against his political enemies. On the contrary, Moschopoulos thought that this oath should establish a rather loose bond, and even admitted the possibility of the oath-taker fighting against the emperor once he settled outside Byzantine territory. As in the case of his contemporary George Pachymeres, Byzantium's bitter experience in the late thirteenth century may have shaped Moschopoulos' views.

The feudal "imperial oath"

The second type of oath of allegiance is "the imperial oath." Moschopoulos described the individuals taking this oath as hired "guardians" of the emperor who served him willingly and received salaries in return. Who were the emperor's special subjects who took such a personal oath? Svoronos

[67] Pachymeres I.i, 135.26–137.5, 261 (the rebellion of the peasants of the village of Zygos in Bithynia in 1262).

[68] The annulment of old oaths figured prominently in the *prostagma* of Andronikos II (September 1310) containing the clauses of the final agreement between the Arsenites and the emperor. See V. Laurent, "Les grandes crises religieuses à Byzance. La fin du schisme arsénite," BSHAR, 26, 2 (1945), 290.32–36, 291.82–90 (Dölger, *Regesten*, 2321).

has convincingly established that the oath was of Western origin and was derived from feudal oaths of fealty. On the basis of a fourteenth-century oath formulary which bears remarkable similarities to Moschopoulos' description of the "imperial oath," Svoronos argued that all officials and dignitaries in the late empire swore fealty to the persona of the emperor. Unlike the oath of loyalty sworn by all subjects, the oath formulary contains no provision about succession and specifies that the bond between the emperor and the oath taker is strictly personal. The oath taker promised to give military assistance throughout his life to the emperor and to continue to serve him even should the ruler be dethroned and exiled.[69] However, was this oath taken universally by all officials? During the early and middle Byzantine periods imperial functionaries were indeed required to take a special oath on assuming their office. The chief provisions of this oath were connected to institutional responsibilities: the officials swore to refuse bribes and to perform their duties conscientiously.[70] According to Svoronos, the influx of Western feudal practices in Byzantium during the eleventh and twelfth centuries led to a modification of the content of the officials' oath. Fourteenth-century officials thus took a personal oath to the emperor which resembled a reciprocal contract between two free individuals.[71] This interpretation runs into problems. For one thing, the fourteenth-century formulary does not call the oath taker an official, but refers to him as a faithful servant (*pistos hypocheiros*) of the emperor. Among the late Byzantine historians only Kantakouzenos speaks of oaths taken by officials. He mentions a custom according to which provincial governors were required to present themselves in Constantinople shortly after the emperor's death and to take an oath of allegiance to the new sovereign.[72] The context of this oath is the same as that of the dynastic oath sworn by all subjects at times of transition of power, and therefore its provisions may have been similar to those of the universal oath.

The fourteenth-century formulary can serve as our basis for a systematic and wide-ranging investigation of oath-swearing practices: it furnishes

[69] Sathas published the formulary (MB, vol. 6, 652–53) from a collection of chancery formularies preserved in a fifteenth-century manuscript (Paris, Bibl. Nat., Cod. gr. 2509); see esp. 652.28–653.2: παραχωρήσει δὲ θεοῦ δυστυχήσαντι ἢ ἐξορισθέντι συνακολουθήσω αὐτῷ καὶ συγκακοπαθήσω καὶ συγκινδυνεύσω αὐτῷ μέχρι καὶ αὐτοῦ τοῦ θανάτου ἐπὶ πάσῃ μου τῇ ζωῇ.

[70] See the oath of officials to Justinian and Theodora in Justinian's novel 8, R. Schöll and G. Kroll, *Corpus Iuris Civilis*, vol. 3, *Novellae* (Berlin, 1928), 89–91. The oath is excerpted in the tenth-century *Basilika*, VI, 3, 50; it has also been published by T. Uspenskii, *Actes du VI^e Congrès Archéologique d'Odessa*, vol. 2 (Odessa, 1888), 336–39, from Paris, Bibl. Nat., Sup. gr. 538.

[71] Svoronos, "Le serment de fidélité," 108. [72] Kantakouzenos I, 16.

terms enabling us to probe literary and documentary sources in search of the emperor's special subjects. This terminological approach is not without its problems, for the Byzantine historians and official documents mention the terms of the formulary less often than a modern historian would hope. Another problem is that the formulary shows traces of the vernacular – something common in oaths in the medieval West as well.[73] On the other hand, the terminological approach sets our investigation on a firm methodological ground. Two terms in the formulary can guide us in tracing the individuals who took an "imperial oath." The first one is the particular word referring to the emperor's special subject. The oath taker swore before God, the gospels, the Holy Cross, and the Virgin and all the saints to be a faithful *hypocheiros* of the emperor. The term *hypocheiros* must be the vernacular equivalent of the more commonly used word *hypocheirios*.[74] The second distinctive feature of the oath is the friendship formula – "friend of the emperor's friends, enemy of his enemies" – an expression also present in Moschopoulos' treatise. It is important to observe that the two terms are found in the only surviving text of an oath of fealty taken by a Westerner to the Byzantine emperor: the oath of Bohemond, prince of Taranto and Antioch, to Alexios I Komnenos in 1108. Most of the leaders of the First Crusade who passed through Constantinople in the years 1096–97 are known to have taken oaths of fealty to Alexios I, although the original texts of none of them survives.[75] Bohemond himself did so on 10 April 1097.[76] After the crusade, Bohemond led a Norman invasion of the Balkans, but was defeated at the battle of Devol in 1108. In her history Anna Comnena (Alexios' daughter) quotes in full the oath taken by Bohemond after his defeat. He swore to be a liege man (*lizios anthropos*) of the emperor Alexios I Komnenos. The Greek text of the oath clarifies the phrase "liege man" (a borrowing from Latin) as meaning the emperor's servant and *hypocheirios*.[77]

[73] See, for example, the vernacular form of the infinitive: MB, vol. 6, 652.13.

[74] I have not been able to find another case of the use of the word *hypocheiros* in late Byzantine literary and documentary texts, while *hypocheirios* is often attested in the context of oath-swearing.

[75] F. Ganshof, "Recherche sur le lien juridique qui unissait les chefs de la Première Croisade à l'empereur byzantin," in *Melanges offerts à M. Paul E. Martin* (Geneva, 1961) (= *Mémoires et documents publiés par la Société d'Histoire et d'Archéologie de Genève*, 40 [1961]), 49–63; J. H. Pryor, "The Oaths of the Leaders of the First Crusade to Emperor Alexius I Comnenus: Fealty, Homage = *Pistis, Douleia*," *Parergon*, n.s., 2 (1984), 111–42. Pryor disputes the contention by Ganshof and other scholars that the oaths of fealty of the crusader leaders were accompanied by the assumption of vassal status.

[76] Ganshof, "Recherche sur le lien," 53.

[77] Anna Comnena, *Alexiad*, XIII 12,1 (ed. B. Leib (Paris, 1945), vol. 3, 125.28–30): "so that I become a liege man of your Scepter and, to put it more clearly and lucidly, your servant and *hypocheirios*" (ὥστε λίζιον γενέσθαι τοῦ σκήπτρου σου ἄνθρωπον καί, ἵνα σαφέστερον εἴποιμι καὶ φανερώτερον, οἰκέτην καὶ ὑποχείριον).

Further, Bohemond and his son Tankred promised to fight the emperor's enemies and offer help to his friends.[78]

The phrase "liege man," first attested at the treaty of Devol, entered Byzantine vocabulary during the twelfth century, when it is attested numerous times in literary and documentary texts. In the thirteenth century the Latin loan word seems to have gradually fallen out of the *official* usage of the imperial chancery in oath-swearing contexts.[79] This development in terminology did not signal the disappearance of the feudal oath from the late Byzantine world. Rather, a Greek terminology of feudal agreements exemplified by the term *hypocheirios* (or *hypocheiros*) and the friendship formula established itself in place of the imported Latin one. There was a tradition of the use of the Greek adjective *hypocheirios* in classical texts and in the Bible. It means "subordinate," or "subject," and carries the idea of defeat and subjugation. Late Byzantine authors often used the adjective *hypocheirios* to refer to newly conquered territories, most often lands in the Balkans, where the empire expanded during the thirteenth century.[80] It is important to note that in the context of oath giving, *hypocheirios* was a technical term referring to an imperial subject with a special status. The Latin interpreter at the Byzantine chancery during Michael VIII's reign translated the word *hypocheirios* into Latin quite literally as *submanualis*.[81] It is noteworthy that the translator did not paraphrase the meaning of the word, nor did he seek to render it through Latin feudal terminology. *Hypocheirios* thus referred to a uniquely Byzantine reality of personal dependent status vis-à-vis the emperor.

The origin of the friendship formula is also old. An ancient Greek idea held that justice was tantamount to helping one's friends and harming one's

[78] Ibid., XIII 12,27 (vol. 3, 138.8–10): "But we will don our armor and take up arms and lances against your enemies and will give a helping hand to your friends" (Ἀλλὰ καὶ ὑπὲρ τῶν σῶν ἐχθρῶν θωρακιούμεθα καὶ ἀροῦμεν ὅπλα καὶ δόρατα καὶ τοῖς σοῖς φίλοις ἐμβαλοῦμεν τὰς δεξιάς).

[79] J. Ferluga, "La ligesse dans l'empire byzantin," ZRVI, 7 (1961), 97–123. Ferluga pointed to two cases of usage of the term *lizios* in late Byzantine texts: Pachymeres, I.ii, 471.8 (where the historian says that the Genoese of Pera described themselves as Michael VIII's liege men), and MM, vol. 4, 36–43 (the Latin mercenary in Nicaean service Syrgaris was John III Vatatzes' liege man). However, the Chronicle of the Morea makes much use of the word. See, for example, *The Chronicle of Morea*, ed. J. Schmitt (London, 1904), 173.78, 377.12.

[80] Cf. Genesis 14:20. The tenth-century Byzantine lexicon *Suda* defines a *hypocheirios* as a "captive" or "slave" (*doulos*). Cf. *Suidae Lexicon*, vol. 4, ed. A. Adler (Leipzig, 1935), 680. See Akropolites I, 78.22; Gregoras I, 14.16, 56.2, 96.11, 253.4, 535.5, 553.19; H. Grégoire, "Imperatoris Michaelis Palaeologi de Vita Sua," B, 29–30 (1959–60), 455. For its usage as a predicate describing a private acquisition, see A. Solovjev and V. Mošin, *Grčke povelje Srpskih vladara (Diplomata graeca regum et imperatorum Serviae)* (Belgrade, 1936; repr. London, 1974), 242.29.

[81] See below, n. 101.

enemies; the Old Testament contains similar phraseology.[82] This phraseology made its way into the vocabulary of oaths and contracts. During the first century A.D. Greek cities in the Roman empire swore collective oaths to the Roman emperor, by which they declared themselves to be friends of his friends and enemies of his enemies. These oaths had a dynastic purpose and obligated the subjects to accept the *princeps*' son as the legitimate successor.[83] Furthermore, the friendship formula was destined to occupy an important place in the vocabulary of oaths and contracts in the medieval West. It figures prominently in the famous sworn agreement in 755 between the Frankish king Pepin III the Short (751–68) and Pope Stephen II, which marked the accession of the Carolingian dynasty and influenced relations between the Western empire and the papacy in subsequent centuries.[84] The friendship formula formed part of feudal oaths as well as contracts and conventions across the Mediterranean during the thirteenth, fourteenth, and fifteenth centuries.[85]

In Byzantium the friendship formula was also used in the context of oaths and sworn contracts, and made Byzantine and Western oaths of fealty mutually comprehensible. This fact is seen most clearly when we look at an episode during the Catalan campaign described by Pachymeres. The historian writes that one of the leaders of the Catalan Grand Company,

[82] Plato, *Republic*, 332d, 334d, imputes this view of justice to Polemarchus, one of Socrates' interlocutors. Cf. Annas, *An Introduction to Plato's Republic*, 24–30. A similar idea is found in the Covenant Code: "I will be an enemy of your enemies and a foe to your foes" (Exodus 23:22). This, of course, contrasts with Christ's admonition in the New Testament (Matthew 5:44) that one should love one's enemy.

[83] See the oaths to Augustus and Caligula in inscriptions from the Greek East: P. Hermann, *Der römische Kaisereid. Untersuchungen zu seiner Herkunft und Entwicklung* (Göttingen, 1968), 122–29.

[84] *MGH. Epistolae*, III (*Epistolae Merowingici et Karolini aevi*, I), *Codex Carolinus*, ed. W. Gundlach, (Berlin 1892), no. 29, 534; no. 45, 562. Cf. L. Wallach, "Amicus amicis, inimicus inimicis," *Zeitschrift für Kirchengeschichte*, 52 (1933), 614–15; A. Drabek, *Die Verträge der fränkischen und deutschen Herrscher mit dem Papsttum von 750 bis 1020* (Vienna, 1976), 91–94.

[85] See the oath by Duke Břetislav of Bohemia to the emperor Henry III of Germany in 1041, *Annales Altahenses maiores*, ed. E. von Oefele, in *MGH. Scriptores rerum Germanicum*, IV (Hannover, 1891), 27–28. Cf. F. Ganshof, *Feudalism*, trans. Ph. Grierson, 3rd edn. (New York, 1967), 76. See also the pacts in the years immediately after 1204 between the doge of Venice and various Venetians vassals, G. L. F. Tafel and G. M. Thomas, *Urkunden zur älteren Handels- und Staatsgeschichte der Republik Venedig mit besonderer Beziehung auf Byzanz und die Levante* (Vienna, 1856; repr. Amsterdam, 1964), vol. 2, 57, 98, 122, 132, 140. See also the convention between Alfonso X of Castile and Pisa concluded in 1256, *Constitutiones et acta publica imperatorum et regum*, II, ed. L. Weiland, *MGH. Leges*, IV (Hannover, 1897), no. 394, 496–97 (§§10 and 18), and the treaty of 1307 between the king of Sicily and Aragon, Frederick II, and Ferran of Majorca, A. Rubió i Lluch, *Diplomatari de l'Orient català (1301–1409)* (Barcelona, 1947), 39. The Anatolian Turks also used the friendship formula in oaths, as in the oath by the Ottoman Sultan Mehmed I to Yakub II, emir of Germiyan, which consolidated a political alliance after the battle of Ankara (1402). See S. Tekin, "Fatih Sultan Mehmed Devrine Âit bir Inşâ Mecmuası," *Journal of Turkish Studies*, 20 (1996), 296–97.

Berenguar de Entença, took an oath of fealty to Andronikos II on his arrival in Constantinople in 1304. For Pachymeres, it was the friendship formula – "friend of the emperor's friends and enemy of his enemies" – that was the most characteristic feature of this oath.[86] Before swearing, Berenguar de Entença asked Andronikos II to exclude from the list of the emperor's enemies the king of Sicily and Aragon, Frederick III (1296–1337). The reason for this request was that Berenguar de Entença had already done homage to Frederick III and wanted to keep him as his main lord – his liege lord in the feudal hierarchy. Thus, according to Pachymeres, the Catalan leader was clearly aware that he took a feudal oath of fealty when swearing the friendship oath to the Byzantine emperor, although he wished to keep his allegiance to his liege lord. In return for Berenguar de Estença's oath, Andronikos II presented the Catalan warrior with sumptuous gifts and granted him the high court title of grand duke (*megas doux*).[87]

There are earlier examples when the friendship formula formed part of oaths of fealty sworn by Latins to the Byzantine emperor. The oath by Bohemond and Tankred to Alexios I in 1108, which we have discussed above, contains this formula. Bohemond's father Robert Guiscard had also taken an oath to the emperor containing the same phraseology. A Byzantine imperial chrysobull composed by Michael Psellos in 1074 describes the provisions of a treaty between Byzantium and the Normans of southern Italy. We learn from this intriguing document that Robert Guiscard had consolidated his alliance with the emperor Michael VII Doukas (1071–78) by swearing a special oath, the original of which has not survived. Still, the chrysobull makes a clear reference to its content. Robert had sworn to be a loyal defender of the empire and took it upon himself to be a friend of the emperor's friends and an enemy of his enemies.[88] In exchange for his loyalty, the emperor showered Robert Guiscard with gifts, among which was the high court title of *nobelissimos* with its attendant salary.

The friendship formula is found not only in oaths sworn by Latin mercenaries or allies to the Byzantine emperor, but also in feudal oaths taken by former Byzantine subjects to Latin potentates in the aftermath of 1204.

[86] Pachymeres II.iv, 547.

[87] Ibid., 539–547, 551.13–17 (Andronikos II presented the Catalan with golden and silver vessels). On Berenguar de Entença's complex relations with Andronikos II and Frederick III, who harbored ambitions of conquering Constantinople, see Laiou, *Constantinople and the Latins*, 138–39. After relations between Andronikos II and the Catalans soured, the Genoese captured Berenguar de Entença on 31 May 1305 and sent him to Genoa as a prisoner. See ibid., 154, n. 91, 177–78.

[88] *Michaelis Pselli orationes forenses et acta*, ed. G. T. Dennis (Leipzig and Stuttgart, 1994), 178.44–48 and 178.52–54 (reference to the oath). For an analysis of this document see A. Laiou, "The Emperor's Word: Chrysobulls, Oaths and Synallagmatic Relations in Byzantium (11th–12th c.)," TM, 14 (2002) (=*Mélanges Gilbert Dagron*), 347–62, especially 347–51 and nn. 3 and 4, with further bibliography.

In 1219 Greek insurgents on the Venetian-held island of Crete ended their rebellion by concluding a pact with the Venetian authorities of the island. One of the provisions of the agreement was that the Greek rebels and their descendants should swear an oath of fealty to the doge of Venice. The most characteristic feature of this binding oath worthy of mention was the familiar formula "friend of his friend and enemy of his enemies."[89]

What was the profile of the special subjects who took a personal oath to the Byzantine emperor after 1204? A survey based on our terminological criteria reveals three categories of special subjects by oath: the rulers of the Greek principalities of Epiros and Thessaly as well as Latin princes in Greece, individuals who came from outside the territory of the empire (whether high-standing aristocrats or simple solders), and the dwellers in Balkan cities who willingly accepted the emperor's overlordship. The picture is fluid and does not suggest the existence of a systematic way in which this oath of fealty was applied. Certain patterns, however, are discernible. First, most of the special subjects are united by their "foreign" origin, no matter whether they were Greek-speakers whom the fragmentation of the Byzantine world after 1204 left outside the boundaries of the empire, Latins, or others. Second, this oath was used increasingly frequently over the course of the thirteenth century, as the empire expanded into the Balkans and a growing number of subjects in the area accepted the emperor's overlordship. And third, the emperors strove to maintain a monopoly over the use of this oath in the core territory of the empire, and thus attempted to prevent the emergence of a feudal hierarchy of individual dependencies. The trial and conviction of the Despot Michael Angelos in 1304 is a case in point.[90] For like reasons, Syrgiannes Palaiologos was suspected of conspiring against Andronikos III, when in 1330, at a time when the emperor appeared to be on his deathbed, he demanded that the Thessalonicans swear to him an "oath of friendship."[91] Indeed, the emperors' efforts to maintain a monopoly over the feudal oath may explain why Moschopoulos called it an "imperial oath" in his treatise.

The first category of people who took an individual imperial oath did not fit at all into Moschopoulos' scheme. They were the autonomous rulers of Epiros and Thessaly, who swore allegiance to the emperor when

[89] Tafel and Thomas, *Urkunden*, vol. 2, 211. On this anti-Venetian rebellion and the pact of 1219, see C. Maltezou, *'Η Κρήτη στὴ διάρκεια τῆς περιόδου τῆς Βενετοκρατίας (1211–1669)* (Crete, 1990), 30–33

[90] See above, p. 317.

[91] Kantakouzenos I, 436–46, esp. 437.9–11: ἐγίνοντο δὲ οἱ ὅρκοι ἐπὶ τούτοις· Συργιάννην καὶ αὐτόν τινα φίλους εἶναι βεβαίους καὶ μηδένα ὑπ' οὐδεμιᾶς ἀνάγκης τὸν ἕτερον προδιδόναι. Cf. Gregoras I, 440, 488–89.

circumstances mandated political rapprochement. The first indisputably attested case of an Epirote lord taking a feudal oath to the Nicaean emperor occurred in 1242. In that year the Nicaean emperor John III Vatatzes led an expedition into the Balkans in order to settle old scores with the autonomous Greek lords of the region. The family of the Komnenoi Doukai ruled over Epiros and Thessaly and had dared again to proclaim an emperor: John Komnenos Doukas (1237–42), son of the erstwhile Epirote emperor, the blinded Theodore Komnenos Doukas (1215–30). Vatatzes besieged Thessaloniki, but had to interrupt his campaign after receiving the alarming news that the Mongols had invaded Asia Minor. Before ordering his troops to retreat, he forced John Komnenos Doukas to relinquish the imperial title in exchange for the rank of Despot, the second in the court hierarchy. The historian George Akropolites wrote that the newly appointed Despot swore a "customary oath" and became Vatatzes' *hypocheirios*.[92]

Akropolites did not find it necessary to explain what he meant by calling the oath of 1242 a customary one. Unfortunately it is impossible to establish the earliest case when the Nicaean emperors received an oath of fealty from the Komnenoi Doukai of Epiros. Yet it is clear that oath swearing had been a frequently used tool in the relations of Epiros with various foreign powers. In the first decade of the thirteenth century Theodore Komnenos Doukas, at the time residing in Asia Minor, is known to have taken an oath of allegiance to the Nicaean emperor, Theodore I Laskaris. As we learn from the polemical exchange of letters between Epirote and Nicaean ecclesiastics after Theodore Komnenos Doukas' imperial coronation in 1227, his oath to the first Nicaean emperor had included dynastic provisions and was probably one which all subjects had sworn.[93] By 1242, however, the Epirote ruling family must have become very familiar with Western practices of feudal oaths. In 1210 the founder of the Epirote principality Michael Doukas Komnenos (1204–15) took an oath of fealty to Venice, by which he agreed to hold his territory as a fief of the maritime

[92] Akropolites I, 67.20–22: ταῦτα διαπραξάμενος ὁ βασιλεὺς παλινοστεῖ πρὸς τὸν ἕω, καταλιπὼν δεσπότην τὸν βασιλέα καὶ ὑποχείριον, ὅρκοις συνδήσας τοῖς εἰωθόσι.

[93] In his polemical letter (1228) addressed to the Nicaean patriarch Germanos II, the metropolitan of Corfu, Bardanes, wrote that the Epirote ruler had sworn an oath of loyalty to the descendants of the Nicaean ruler, similar to that known from a document dating to 1208–10. See R.-J. Loenertz, "Lettre de George Bardanès, métropolite de Corcyre, au patriarche oecuménique Germain II," in *Byzantina et Franco-Graeca* (Rome, 1970), 499.427–29. Cf. G. Prinzing, "Die *Antigraphe* des Patriarchen Germanos II. an Erzbischof Demetrios Chomatenos von Ohrid und die Korrezpondenz zum nikäisch-epirotischen Konflikt 1212–1233," *Rivista di studi bizantini e slavi*, 3 (1983) (= *Miscellanea Agostino Pertusi*, vol. 3), 50. Oikonomides, "Cinq actes inédits," 137–38, noted the similarity in content between the oaths of 1208–10 taken by all Nicaean subjects and the one sworn by Theodore Komnenos Doukas, noting that it is impossible to prove whether these were taken on the same occasion.

republic.[94] His brother, the Despot and self-styled emperor Manuel Doukas Komnenos (1230–37), who ruled over Thessaloniki in a period of Bulgarian ascendancy in the Balkans, did homage in 1236 to the Latin prince of Achaia, count Geoffrey II Villehardouin (1228–46).[95] Manuel was forced to leave Thessaloniki in 1237, when his blinded brother and one-time emperor, Theodore Doukas Komnenos, returned to the city with the support of the Bulgarians. Manuel then crossed the Aegean and ended up at the Nicaean court, where he declared by oath his fidelity to Vatatzes and received in return ships and soldiers to help him reclaim Thessaloniki. Once back in the Balkans, Manuel threw off his recently sworn allegiance to Nicaea. By 1241 he was dead. The information of Akropolites about Manuel's oath to Vatatzes is rather vague, although it is likely that he swore a personal oath.[96] Thus when John III Vatatzes appeared before the walls of Thessaloniki in 1242, he received a type of oath from the Komnenoi Doukai which they had already learned to swear to Latin powers. Four years later the city of Thessaloniki was fully incorporated into the Nicaean empire and its tax apparatus.[97]

The emperor Michael VIII (during whose reign the historian Akropolites wrote) frequently resorted to having the Greek and Latin rulers of the Balkans swear to him oaths of fealty. We should be reminded here that a panegyrist of the first Palaiologos in 1272–73 praised the emperor for his superb diplomatic skills and for having his enemies join their hands with his.[98] Behind this rhetorical description it is not difficult to discern the feudal practice of commendation (*immixtio manuum*) and the oath of fealty that normally accompanied ritual acts of homage. Michael VIII attempted with no success to turn the Latin principality of the Morea and

[94] Michael Komnenos Doukas acknowledged Venice's concession of his territory *nomine feudi* to himself and his heirs. See Tafel and Thomas, *Urkunden*, vol. 2, 119–23. Cf. D. Nicol, *The Despotate of Epiros* (Oxford, 1957), 30–31. The ruler of Trebizond David Komnenos, too, is reported to have placed himself in 1206 under the overlordship of a Latin power, namely the Latin emperor of Constantinople. See *Nicetae Choniatae Historia*, 640. Cf. A. Vasiliev, "The Foundation of the Empire of Trebizond (1204–1222)," *Speculum*, 11 (1936), 24.

[95] See Alberic of Trois Fontaines, *Chronica*, ed. P. Scheffer-Boichorst, in *MGH. Scriptores*, XXIII (Hanover, 1874), 938: *frater eius Manuel privatus fugit ad dommum Gaufridum at factus est homo illius*. Cf. Nicol, *Despotate of Epiros*, 125, 127 and n. 24. Manuel Komnenos Doukas appears to have assumed the imperial title sometime between March 1234 and May 1235, an act which did not prevent him from commending himself to the Latin prince. See B. Ferjančić, "Solunski tsar Manojlo Anjeo (1230–1237)," *Université de Belgrade. Recueil des Travaux de la Faculté de Philosophie*, 14.1 (1979), 93–101.

[96] Akropolites I, 61.23–24.

[97] When John Komnenos Doukas was deposed in 1246, taxation became an issue, and the citizens of Thessaloniki demanded imperial tax privileges in accordance with their customary fiscal immunities. See Akropolites I, 80.1–8.

[98] Cf. chapter 4, pp. 138–39.

the Frankish duchy of Athens-Thebes into client states by having their rulers take oaths of fealty. The prince of Achaia, William II Villehardouin (1246–78), who was captured at the battle of Pelagonia in autumn 1259, is known to have taken an oath of fealty to Michael VIII. The oath was sworn according to the Latin custom – with the lighting of torches that symbolized the excommunication that would ensue in case of breaching the oath. In return, Michael VIII granted William II Villehardouin the title of Despot and made him the godfather of his newly born son, Constantine Porphyrogennetos. Soon after his release from captivity, however, William II Villehardouin broke off the oath at the insistence of Pope Urban IV (1261–64), who considered his alliance with Michael VIII a scandalous affair.[99] Michael VIII also exacted an oath of fealty from the duke of Athens-Thebes John I de la Roche (1263–80), after the latter fell into Byzantine captivity in about 1275. Pachymeres observed that Michael VIII released the duke on oath and considered the possibility of marrying him into the Palaiologan family. This plan never materialized because the duke died in 1280 and was succeeded by his brother William de la Roche (1280–87), son-in-law of the inveterate rival of Constantinople, *sebastokrator* John I Doukas (d. ca. 1289) of Thessaly.[100] In 1278 the chief interpreter of the Byzantine imperial chancery, Ogerios, wrote in a special memorandum to Pope Nicholas III (1277–80) that the *sebastokrator* of Thessaly John I Doukas and the Despot of Epiros Nikephoros I Komnenos Doukas (1271–1296/8) had both taken oaths of fealty to Michael VIII many times. In this way they became *hypocheirioi* of the emperor and acquired their high-ranking court titles.[101] Nevertheless, they vigorously opposed Michael VIII's unionist policies and stirred up trouble for the emperor.

Andronikos II continued his father's policy of having the Greek rulers of Epiros and Thessaly swear oaths of fealty. Two letters from the voluminous surviving correspondence of Patriarch Gregory of Cyprus (1283–89) shed unique light on the content of the oath. Both patriarchal letters date to about 1285 and address the *sebastokrator* of Thessaly, John I

[99] Pachymeres I.i, 121–25.

[100] Pachymeres I.ii, 527.26–529.1. Cf. Geanakoplos, *Michael VIII*, 296, 299–300.

[101] R.-J. Loenertz, "Mémoire d'Ogier, protonotaire, pour Marco et Marchetto nonces de Michel VIII Paléologue auprès du pape Nicolas III, 1278, printemps–été," OCP, 31 (1965), 390.37–42: *Unus quorum est filius naturalis domini Michalicii, qui a Latinis dux Patre vocatur, similiter et alius filius eius legitimus, dominus Nichiforus. qui ut subditi, servi et submanuales imperii sacramentum domino meo sancto imperatori fidelitatis et ligii homagii multotiens prestiterunt de parendis preceptis et mandatis suis, a quo dignitates et officia quibus nominati sunt hactenus acceperunt.* As noted by Loenertz, the nonexistent Latin word *submanuales* was nothing other than the Latinized equivalent of the Byzantine term. Michael VIII bestowed the title of *sebastokrator* on John Doukas in 1267. Pachymeres I.ii, 401 (our only source) mentions no oath on this occasion.

Doukas.[102] One of them informs us that two years earlier (ca. 1283) John I Doukas had taken an oath to Andronikos II, most likely in the aftermath of the naval campaign against Thessaly in 1283.[103] The other letter adds the valuable piece of information that the ruler of Thessaly had some of his own subjects take similar oaths of fealty.[104] As Thessaly lay at the time outside the core, taxable territory of the empire, the central government in Constantinople could not insist on a monopoly on the usage of this oath. By 1285 John I Doukas had repudiated this oath and planned hostile alliances with the Serbs and with the duchy of Athens-Thebes. Gregory of Cyprus now reminded the ruler of Thessaly of his sworn promise to be a friend of Andronikos II's friends and enemy of his enemies.[105] What were *sebastokrator* John I Doukas' obligations to the emperor ensuing from his oath? John Doukas had explicitly promised not to undertake hostile actions against Andronikos II's special subjects (*hypocheirioi*). The ruler of Thessaly acknowledged that Andronikos II was his master and the master of all Romans. Accordingly, the autonomous ruler was obliged to display his position of subordination through symbolic acts: he had to perform "customary acclamations" (*euphemiai*) of the emperor and to arrange that the emperor's name be mentioned in the daily church services. Thus the symbolic recognition of the emperor's overlordship rested on venerable Byzantine traditions of church usage and court ceremonial. It is known from the *History* of Pachymeres that the emperor's name was traditionally mentioned during matins (*orthros*).[106] By agreeing to make mention of the emperor's name in church services, the ruler of Thessaly acknowledged the emperor's overlordship. As he could not participate in court ceremonies

[102] See S. Eustratiades, EPh, 4 (1909), no. 131, 5–11 (Laurent, *Regestes*, 1480) and C. Rapp, "Ein bisher unbekannter Brief des Patriarchen Gregor von Zypern an Johannes II., Sebastokrator von Thessalien," BZ, 81 (1988), 12–28.

[103] On the campaign against Thessaly see Laiou, *Constantinople and the Latins*, 38; Nicol, *Despotate of Epiros 1267–1479*, 31–32.

[104] Gregory of Cyprus asked the *sebastokrator* rhetorically: "Why do you ask your subject to be a friend of your friend and enemy of your enemy, while you do not reckon that God demands the same from us?" See Rapp, "Ein bisher unbekannter Brief," 15.76–78: πῶς γοῦν σὺ μὲν τὸν σὸν ἀπαιτεῖς δοῦλον τοῦ φίλου σου εἶναι φίλον καὶ τοῦ ἐχθροῦ σου ἐχθρόν, τὸν δὲ θεὸν οὐ λογίζῃ αὐτὸ τοῦτο παρ' ἡμῶν ἀπαιτεῖν;

[105] Eustratiades, EPh, 4 (1909), no. 131, 7.18–8.4.

[106] Pachymeres I.ii, 337–39, writes that matins opened with a recitation of the *Trisagion*, the mention of the emperor's name, and the recitation of a psalm on the emperor's behalf. The omission of this psalm by patriarch Arsenios was seen as a grave insult to the majesty of the emperor. Some monastic rules prescribe psalms 19 and 20 (prayers for the king's victory) as being appropriate for matins. Cf. G. Bekatoros, "Ὄρθρος," in Θρησκευτικὴ καὶ Ἠθικὴ Ἐγκυκλοπαίδεια, vol. 9 (Athens, 1966), 960–66, with further references. The historians Gregoras (II, 643–44) and Kantakouzenos (II, 329; III, 269) remark further that the emperor's and co-emperor's names were mentioned in the church services. Cf. Heisenberg, *Palaiologenzeit*, 55–57.

because he resided far away from Constantinople, he had to acclaim the emperor in his own land. This type of locally performed acclamation is again known from the *History* of Pachymeres, who considered it an important demonstration of loyalty to the emperor in critical circumstances.[107] On the other hand, a special subject by oath who was in Constantinople or its environs was obliged to take part in court ceremonies. For example, the Catalan leader Berenguar de Entença was expected to present himself in the palace at Epiphany 1305, but declined to do so.[108]

It is important to note that the feudal oath sworn by the rulers of Epiros and Thessaly became a usual element in their relations with Constantinople. In 1319 Andronikos II mentioned in a letter to Venice that the rulers of Epiros were bound to him by oaths of vassalage.[109] After these two areas were at last incorporated into the empire in the 1330s, the imperial governor of Thessaly again swore a personal oath of fealty to the emperor.[110] The use of the feudal oath of fealty in international politics fits poorly into Moschopoulos' treatise. The rulers of Epiros and Thessaly received no salaries, but were rewarded with high court titles. Very often they were forced to take an oath by adverse circumstances, contrary to Moschopoulos' opinion that the special subjects should willingly agree to serve the emperor.

The second group of individuals who took a personal oath to the emperor were foreigners who voluntarily enlisted themselves in the empire and accepted the emperor's overlordship. One should make here a distinction between special subjects who belonged to the high aristocracy, on the one hand, and people of humbler status, on the other. Local Balkan aristocrats entered the service of the emperor as the empire expanded into the Balkans. Such was the case of the grand *stratopedarches* John Synadenos, who had held his own lordship (*toparchia*) in Macedonia. Sometime after the battle of Pelagonia in autumn 1259 he voluntarily became a *hypocheirios* of the emperor Michael VIII and brought his lands into the empire.[111] John

[107] The general John Tarchaneiotes, wishing to clear his name of accusations of disloyalty while being in Pyrgion in Asia Minor, acclaimed Andronikos II in front of an icon of Saint George. The citizens of Magnesia in Asia Minor were said to be loyal to Andronikos II because they "acclaimed him" every day. See Pachymeres II.iii, 289.4–5; II.iv, 497.10–11.

[108] Pachymeres II.iv, 551.18–20.

[109] See Laiou, *Constantinople and the Latins*, 258, with further references.

[110] Kantakouzenos II, 320.9 ff., refers to the content of the oath in the chrysobull he issued in 1342 on behalf of the newly appointed governor of Thessaly, John Angelos. In his memoirs Kantakouzenos cited the chrysobull from memory. The document has been republished by H. Hunger, "Urkunden und Memoirentext: Der Chrysobullos Logos des Johannes Kantakouzenos für Johannes Angelos," JÖB, 27 (1978), 107–25.

[111] Kantakouzenos I, 37.19–22: ὁ δέ γε πατὴρ τοῦ πρὸς ἑσπέραν κατὰ τὴν Δαλματίαν λεγομένου Πολόγου τοπάρχης ἦν· ἣν δὴ τοπαρχίαν σὺν ἑαυτῷ τῷ πρώτῳ τῶν βασιλέων προσαγαγὼν

Synadenos married a niece of Michael VIII Palaiologos, and his family acquired large landed properties and played an important role during the fourteenth century. Two other special subjects of Michael VIII Palaiologos were Despot Michael Angelos and Despot John Asan, high-standing aristocrats who settled in Byzantium during his reign and married the emperor's daughters. Pachymeres (who never uses the term *hypocheirios* in his *History*) refers to both as "subjects by oath" (*douloi en horkois*) to the emperor. Remarkably, Despot Michael Angelos (son of Michael II Komnenos Doukas of Epiros) was the same ill-fated man who had soldiers take an oath of fealty to him in 1304 and was accused of conspiracy. Despot John Asan was a Bulgarian aristocrat who married Michael VIII's daughter Eirene and shortly became tsar of Bulgaria (1279–80).[112] His family, the Asans, became as influential in the political history of the empire as the Synadenoi. One can suppose that the Matarangoi family in Albania – "foreigners" who willingly accepted the emperor's overlordship – had also taken similar personal oaths of fealty.

There were also individuals of lower rank who swore an oath of fealty to the emperor. Some were Latin mercenaries in imperial service.[113] Others

Παλαιολόγῳ τῷ Μιχαὴλ καὶ ὑποχείριον ἀποδείξας αὐτῷ. Here the adjective *hypocheirios* refers both to Synadenos' lordship (*toparchia*) and his stance with respect to the emperor. On the *grand stratopedarches* John Komnenos Doukas Angelos Synadenos, the father of Theodore Synadenos, a key supporter of Andronikos III during the First Civil War, see Ch. Hannick and G. Schmelzbauer, "Die Synadenoi," JÖB, 25 (1976), 134–35. PLP 27125, dates John Synadenos' induction into the empire to 1275/76. Pologos was one of the towns in Macedonia which Michael VIII captured in the aftermath of the battle of Pelagonia. See Pachymeres I.i, 151. The location of Pologos is not altogether clear. It might have been the same as the modern village of Polog in the middle Vardar valley west of Skopje and near Tetovo (Pachymeres I.ii, 455.7) or, as D. Nicol has hypothesized ("Two Churches of Western Macedonia," BZ, 49 [1956], 102, n. 8), it could have been close to the town of Kastoria.

[112] Pachymeres, I.ii, 561.6–10.

[113] Shortly after 1204 Latin mercenaries joined the camp of Theodore I Laskaris and took oaths of allegiance. See *Acta Innocentii III (1198–1216)*, ed. Th. Haluščynskyj (Rome, 1944), 402–03. During the reign of John III Vatatzes a Latin "liege knight" in Nicaea by the name of Syrgares is attested. See above note 79. Reporting events in autumn 1306 (the embassy of the Genoese *abbate del popolo* to the Catalans in Thrace), Pachymeres II.iv, 687.18–19, mentioned that the Genoese had taken oaths on behalf of the empire and the emperor. See Laiou, *Constantinople and the Latins*, 174–175; Dölger, *Regesten*, 2301. The passage is cryptic. When did the Genoese of Pera swear the oaths mentioned? It is possible that this episode occurred quite recently during the period of Catalan assault on Byzantium (1305–06). See Pachymeres II.iv, 605. The validity of the treaty of Nymphaion (13 March 1261) between Michael VIII and Genoa was confirmed by the oath of the entire commune of Genoa in accordance with pre-1204 precedents, although this was no oath of fealty. See Zepos, JGR, vol. 1, 494–95 (MM, vol. 3, 36–37); Laiou, "The Emperor's Word," 356–57. A prominent mercenary, who Gregroas reports (I, 254) as having taken an oath to Andronikos II on entering the imperial service in 1305, was the Turkish chieftain Melik Isaac. Pachymeres II.iv, 651, mentions no oaths on this occasion. The leaders of the Catalan Grand Company, of course, were required to swear this oath. In addition to Berenguar de Entença, Roger de Flor had to swear an oath of loyalty in exchange for receiving 30,000 *hyperpyra* and the title of caesar. See Pachymeres II.iv, 555.27–557.2.

were Byzantine soldiers. That Despot Michael Angelos made soldiers take a personal oath to him was hardly an accident. After his trial and conviction, in late 1304 the junior emperor Michael IX contracted for the war with the Catalans a number of Anatolian soldiers who had fled Asia Minor. By issuing chrysobulls and under oath the emperor promised these soldiers that they would serve him for a limited period of time and would then be allowed to return to Anatolia.[114] As the imperial treasury was empty Michael IX melted the crown gold in order to be able to pay their salaries. This category of special imperial subjects corresponds closely to the "imperial guardians and defenders" to whom Moschopoulos referred in the treatise.

The fourth category of special imperial subjects who took personal oaths of allegiance to the emperor was the urban population of certain Balkan cities. In return for their loyalty the emperor granted the townspeople far-reaching tax exemptions. On the death in 1318 of the Despot of Epiros Thomas Angelos (1296–1318), the citizens of Ioannina decided in a peaceful fashion to return under the aegis of Constantinople. In 1319 Andronikos II issued a charter of privileges to the city, where it was explicitly stated that Ioannina, as well as other towns in the area, had acquired a special dependent status (*hypocheiriotes*).[115] In 1336 the town of Trikkala in Thessaly was reincorporated into the Byzantine empire, and the imperial chancery described its status as a special dependency (*hypocheiriotes*).[116] The chrysobull granted to Ioannina makes it clear that the emperor viewed the city as his own possession and wished to give it a special status.[117] Therefore he granted the citizens of Ioannina immunity from all taxes, with the exception of the levy on treasure troves. The urban dwellers were obliged to defend the city militarily against the emperor's enemies, with one restriction: the imperial governor of Ioannina was not to compel them to take part in campaigns outside the city's boundaries. Although the chrysobull makes no mention

[114] Pachymeres II.iv, 529–31, esp. 531.4–5. One could presume that these were binding oaths sworn both by the emperor and the soldiers. See Dölger, *Regesten*, 2618; Laiou, *Constantinople and the Latins*, 160–61.

[115] MM, vol. 5, 80.22–23: κάστρων τῶν προσελθόντων ἀρτίως εἰς τὴν ὑποχειριότητα τῆς βασιλείας μου.

[116] Zepos, JGR, vol. 1, 686.5–7: σύνεργοι εἰς τὸ γενέσθαι τὸ κάστρον τῶν Τρικάλων εἰς τὴν ὑποταγὴν καὶ ὑποχειριότητα τῆς βασιλείας μου. This official document is Andronikos III's chrysobull (1336) confirming properties belonging to the monastery of Saint George in the village of Zavlantia near Trikkala (Dölger, *Regesten*, 2826). A cautionary note: a chrysobull issued by the Serbian emperor Stephan IV Dušan on behalf of the Athonite monastery of Zographou in 1345 uses the word *hypocheiriotes* with the simple meaning of subjection. No meaning of special status is intended. See Solovjev and Mošin, *Grčke povelje Srpskih vladara*, 66.10–11.

[117] MM, vol. 5, 80.17–19: ἐπειδὴ καὶ τελείως ἰδιοποιήσατο τὴν τοιαύτην πόλιν ἡ βασιλεία μου καὶ ἰδικώτερόν πως εἰς αὐτὴν διατίθεσθαι προέθετο.

of oaths, a patriarchal decision of 1338 informs us that the people of Ioannina had in 1318 sworn allegiance to the emperor.[118] The content of their oaths at the time and the way in which the oaths were sworn – whether by the entire populace of the city or by chosen representatives – are not explained. Yet, to judge by the special status of the city, the nature of the oaths of the citizens of Ioannina must have been similar to that taken by other special subjects. After all, the citizens of Ioannina acquired their special status through the same procedure of oath taking that was applied in the case of other recently inducted imperial subjects.

When did the urban classes begin to take oaths of fealty to the emperor? We are not in a position to answer this question with certainty and can only raise a hypothesis. The origins of this practice appear to date back to the period when a number of Balkan cities were peacefully incorporated into the empire in exchange for securing their special tax-exempt status. During the 1240s and 1250s the citizens of Thessaloniki, Verroia, Kroia, and Melnik negotiated the peaceful surrender of their towns to the empire of Nicaea and received in return tax exemptions on their properties by "common chrysobulls."[119] It was at that time that urban dwellers may have begun to swear oaths such as those taken by the citizens of Ioannina in 1318. Moschopoulos' "imperial oath" thus had a wider application than the one the author envisaged in his treatise.

In describing the two oaths Moschopoulos doubtless simplified the complex oath-taking practices used by the late Byzantine imperial government. Insofar as the individual "imperial oath" of allegiance is concerned, Moschopoulos might have added that the emperor could grant his special subjects tax privileges and court dignities, in addition to paying them salaries. He may have noted that military service was not the only duty of the oath taker. When used as a diplomatic tool in Balkan politics, this

[118] In 1337–38 the patriarchate excommunicated the townsmen of Ioannina for not having abided by the oaths to Andronikos II. See H. Hunger et al., *Das Register des Patriarchats von Konstantinopel*, vol. 2 (Vienna, 1995), no. 110, 94–104 (Darrouzès, *Regestes*, 2180). Note the expression (96.5–7): προσελθόντες καὶ ὑποταγέντες εἰς τὴν ὑποχειριότητα καὶ δουλοσύνην τοῦ ἀοιδήμου καὶ μακαρίτου ἁγίου βασιλέως ἐκείνου. In 1328 the citizens of Ioannina accepted the overlordship of the Despot of Epiros John II Doukas Angelos (John Orsini), who had sworn that he would rule in the name of the emperor of Constantinople. He did not observe this sworn promise. After his wife Anna Palaiologina had poisoned him in 1336–37, the citizens swore oaths of fealty to her and to her child Nikephoros II Angelos Doukas. Thereupon the patriarchate of Constantinople excommunicated the entire population of Ioannina.

[119] None of the texts of these "common chrysobulls" survive, apart from the one of Ioannina. See D. Kyritses, "The 'Common Chrysobulls' of Cities and the Notion of Property in Late Byzantium," *Symmeikta*, 13 (1999), 229–45. The case of Thessaloniki, whose privileges date to the twelfth century, seems to be an exception. Cf. E. Patlagean, "L'immunité des Thessaloniciens," in A. Laiou (ed.), ΕΥΨΥΧΙΑ. *Mélanges offerts à Hélène Ahrweiler*, vol. 2 (Paris, 1998), 591–601.

oath included a provision that local lords should display their loyalty to the emperor symbolically, by acclaiming him and by arranging that his name be mentioned in the liturgy. Moschopoulos could have also noted that the emperors themselves frequently took oaths. In the thirteenth and fourteenth centuries we find emperors taking oaths to individual subjects, to senior co-emperors, to the General Judges and to foreign powers as a guarantee that they would observe the stipulations of a treaty.[120] The existence of oaths taken by the emperor himself is a conspicuous omission from Moschopoulos' treatise. One cannot put into doubt, however, Moschopoulos' description of "the imperial oath" as creating a reciprocal and contractual relationship between the emperor and an individual. After 1204 the emperor became enmeshed in such contractual relations, which were established and solidified by means of oaths. This itself was a strong enough reason for Moschopoulos to make the institution of the oath into the central link which bound the empire together and lay at the heart of a social covenant.

Moschopoulos' treatise is a curious mixture of ideas from Plato's *Republic* and observations on Byzantine methods of government partly originating from the feudal West. In the story of late Byzantine political thought his tract has a double significance. First, it represents another prominent case – after Theodore II Laskaris' treatise on political friendship dating to 1250–54 – in which classical political philosophy inspired a Byzantine intellectual to construct theories of imperial politics. Manuel Moschopoulos' treatise was the result of a revival of the study of Plato during the late thirteenth century. This itself is a noteworthy fact. Although Plato's dialogues had circulated in Byzantium since the second half of the ninth century, the study of Plato and Neoplatonic philosophy in the circle of Michael Psellos and John Italos came to an end in the late eleventh century because of

[120] For the emperor's oaths to individual subjects, see Akropolites I, 118 (Theodore II Laskaris to the Bulgarian soldiers in the town of Velesos in Macedonia); Akropolites I, 144 (Theodore II Laskaris to the future emperor Michael Palaiologos). During the First Civil War Theodore Metochites opposed Andronikos II swearing oaths to private individuals. This, however, was his own view on the matter, and after 1328 Andronikos II himself is reported to have said that he would have gladly sworn such oaths. See Kantakouzenos I, 80–84. For oaths between co-emperors see Pachymeres I.ii, 415.6–9, and Gregoras I, 109 (Andronikos II to his father Michael VIII after his coronation in 1272); Pachymeres II.iii, 203.9–11 (Andronikos II to his brother *sebastokrator* Theodore); Gregoras I, 313 (mutual oaths between Andronikos II and Andronikos III on 5 April 1321); Kantakouzenos I, 115–16 (mutual oaths between Andronikos II and Andronikos III on 6 June 1321, the treaty of Rhegion); Gregoras II, 595; Kantakouzenos II, 47 (the mutual oaths between John VI Kantakouzenos and the regency). For the oaths by Andronikos III to the General Judges of the Romans, see Zepos, JGR, vol. 1, 580–81. For the oath of the emperor as a guarantee of commercial privilege granted to Venice and Genoa, see chapter 1, p. 41.

opposition from the church.[121] During the twelfth century and for most of the thirteenth Aristotle played a more prominent role than Plato in higher education in Byzantium. George Akropolites, Manuel Holobolos, Gregory of Cyprus, John Pediasimos Pothos, and Pachymeres made use of Aristotle's logical works (the *Organon*) in teaching their students. By contrast, the educational appeal of Plato's works was never a match for those of Aristotle.[122] The historian George Akropolites is known to have read the dialogues of Plato after having completed his formal higher education in Nicaea in the late 1230s.[123]

A new beginning in the study of Plato was made at the monastic schools of higher learning in Constantinople, centers of the teaching activities of Gregory of Cyprus and Maximos Planoudes. The future patriarch Gregory of Cyprus used Plato's dialogues for the purpose of teaching rhetoric between about 1273 and 1282.[124] Gregory's student Nikephoros Choumnos became seriously interested in Platonic philosophy and wrote a refutation of Plato's theory of substance and forms, which he presented for evaluation to the critical attention of his contemporary Metochites.[125] The historian George Pachymeres, who is better known for his summary of Aristotle's works, himself copied dialogues of Plato and authored a commentary on the *Parmenides*.[126] Byzantine literati of the late thirteenth century owned and cherished manuscripts of Plato's dialogues. Moschopoulos' teacher and

[121] R. Browning, "Enlightenment and Repression in Byzantium in the Eleventh and Twelfth Centuries," *Past and Present*, 69 (1975), 3–23. For an overview of Plato's textual transmission, see M. Sicherl, "Platonismus und Textüberlieferung," in D. Harlfinger (ed.), *Griechische Kodikologie und Textüberlieferung*, (Darmstadt, 1980), 535–76; G. Boter, *The Textual Tradition of Plato's Republic* (Leiden, 1989).

[122] Constantinides, *Higher Education*, 126, according to whom Plato was not studied at all in thirteenth-century schools of higher learning.

[123] Akropolites II, 71. George Akropolites read independently the works of Plato, Plotinos, Proklos, and Iamblichos.

[124] AG, vol. 3, 370–72, where Plato is cited together with Demosthenes and Aristides as a model of rhetoric which Gregory of Cyprus used in his teaching. Gregory of Cyprus is known to have possessed a manuscript of Plato's works. See S. Eustratiades, EPh, 1 (1908), no. 28, 427–28 (letter to John Stavrakios, *chartophylax* of the metropolitan of Thessaloniki).

[125] Boissonade, *Anecdota nova*, no. 37, 45–46 (Choumnos' letter to Metochites), 191–201 (treatise). Cf. J. Verpeaux, *Nicéphore Choumnos, homme d'état et humaniste byzantin, ca. 1250/1255–1327* (Paris, 1959), 133–38. In the 1320s, during their dispute and exchange of polemical pamphlets, Choumnos would accuse Metochites of ignoring Plato's astronomical theories. See I. Ševčenko, *Études sur la polémique entre Théodore Métochite et Nicéphore Choumnos* (Brussels, 1962), 87–109.

[126] Pachymeres copied dialogues of Plato, including the first ten books of *The Republic*, in Paris, Bibl. Nat., Cod. gr. 1810. There he copied also his own commentary on the second part of the *Parmenides*, which complemented Proclus' commentary on the first part. See *George Pachymeres. Commentary on Plato's Parmenides: Anonymous Sequel to Proclus' Commentary*, ed. and trans. T. Gadra, S. Honea, P. Stinger, and G. Umholtz (Athens, 1989). Cf. A. Failler, "Pachymeriana nova," REB, 49 (1991), 193–95.

colleague Maximos Planoudes himself copied parts of a Plato manuscript (Cod. Vind. phil. gr. 21). This codex later became a possession of Manuel's uncle, Nikephoros Moschopoulos, who wrote scholia on its margins.[127] In his letter to Nikephoros sent from prison Manuel used Platonic language to mock the sly Cypriot, the alleged cause for his perdition. Manuel described the Hellenes as the "golden race" of Plato's *Republic* which had become adulterated in Cyprus because of intermarriage with the Latins.[128]

The renewed interest in Plato seems to have nurtured the political use of his dialogues. As we have seen, the historians Nikephoros Gregoras and George of Pelagonia quoted Plato, their favorite ancient philosopher, when criticizing the emperor.[129] George Pachymeres, the most far-reaching among the historian-critics, cited Plato's *Laws* when objecting to Andronikos II's disastrous policy of reliance on foreign mercenaries.[130] All three historians considered Plato to be an intellectual authority that lent credence to their critiques of the ruling emperor. Manuel Moschopoulos proceeded a step further than the historians and constructed his own political model on the basis of Plato's *Republic*. In this, he was a true harbinger of the fifteenth-century philosopher George Gemistos Plethon and his well-known plans for reform of the Morea.

More importantly, Moschopoulos' ideas continued the fresh approach to political theorizing begun with Theodore II Laskaris. As in the case of Laskaris, Moschopoulos argued that the emperor was involved in a network of personal ties and contractual relationships. Both thinkers operated within the ideological world of quasi-feudal notions of contractual obligation. The impact of feudal practices imported from the West is apparent in Moschopoulos' tract – something about which we can only hypothesize in the case of Theodore II Laskaris. There are interesting parallels between Moschopoulos' treatise and the development of Western medieval political thought. Scholars have regarded feudalism as a powerful incubator of ideas leading to the emergence of populist and ascending theories of rulership.[131] In Byzantium Moschopoulos' political treatise shows a similar trajectory

[127] E. Gamillscheg, "Eine Platonhandschrift des Nikephoros Moschopulos (Vind. phil. gr. 21)," in *BYZANTIOS. Festschrift H. Hunger* (Vienna, 1984), 95–100. Cf. H. Hunger, *Katalog der griechischen Handschriften der Österreichischen Nationalbibliothek* (Vienna, 1961), vol. 1, 151–52. This manuscript, however, does not contain the *Republic*. The scholia are unpublished. On Planoudes' activities as a bibliophile, see C. Wendel, "Planudes als Bücherfreund," *Zentralblatt für Bibliothekswesen*, 18 (1941), 77–88.

[128] Levi, "Cinque lettere," 62. The reference is to Plato's *Republic*, 415b-417b, 546a–547a.

[129] See chapter 8, pp. 282–83 and nn. 89, 98. Nikephoros Gregoras also devoted one of his panegyrics on Andronikos II to the subject of the emperor's similarity to the philosopher-king.

[130] Pachymeres II.iv, 529. The quotation is from Plato, *Laws*, I, 630b.

[131] W. Ullmann, *Medieval Political Thought* (Harmondsworth, 1975), 146 ff.

of political reasoning. It is understandable why Theodore II Laskaris never arrived at a bottom-up view of government. Although Moschopoulos and Theodore II Laskaris both spoke of personal and contractual social relationships, their individual perspectives could hardly be more contrasting. Theodore II was a ruler who strove to assert imperial authority over a powerful aristocratic faction; he never questioned the emperor's divine right and viewed the state from the top down. By contrast, Manuel Moschopoulos was a scholar and an enemy of the regime. His detached perspective enabled him to view the empire as a social covenant and divest the emperor of his sacral aura. In his political scheme Roman constitutional ideas did not matter. And if Moschopoulos still admitted the prominent place of public institutions, his view of the nature of the state had nothing to do with Roman political ideas and rested on a recent, quasi-feudal political tradition of imperial governance.

PART III

The ecclesiastics

CHAPTER II

The emperor – subject to the church: late Byzantine hierocratic theories

O, fortunate Asia, o fortunate rulers of the Eastern lands, who fear not the weapons of their subjects and the machinations of the Popes.
(Emperor Frederick II Hohenstaufen, in a letter to John III Doukas Vatatzes, ca.1238[1])

The emperor of Constantinople is their lord both temporal and spiritual. (Sir John Mandeville, *Travels*, ca. 1350[2])

It has been traditionally acknowledged that the Byzantine church reached the highest point of its power and prestige in society in the last centuries of the empire.[3] The evolvement of ecclesiastical political theory during the late Byzantine period reflected the ascendancy of the church: for the first time ecclesiastics put forth with remarkable consistency various hierocratic ideas about the dominance of the church in society. The hierocratic thesis at the core of all these ideas, no matter how different they were in origin and specific argumentation, was a simple one: the church held superior position with regard to the emperor and the imperial office. We shall examine in depth the three most prominent hierocratic currents of the period: late Byzantine interpretations of the Donation of Constantine, the political theology of imperial unction; and the idea of the freedom and universalism of the church.

The innovative political ideas of ecclesiastics regarding imperial authority deserve close study in the context of this book for a variety of reasons. The new hierocratic formulations gained considerable prominence

[1] J.-L.-A. Huillard-Bréholles, *Historia diplomatica Friderici secundi*, vol. 6 (Paris, 1861, repr. Turin, 1963), 685–86. On the date of the letter, see M. B. Wellas, *Griechisches aus dem Umkreis Kaiser Friedrichs II.* (Munich, 1983), 24–25, 133–37.
[2] *The Travels of Sir John Mandeville*, trans. C. W. R. D. Moseley (Harmondsworth, 1983), 52.
[3] D. Nicol, *Church and Society in the Last Centuries of Byzantium* (Cambridge, 1979); see also the illuminating observations by M. Angold, *Church and Society in Byzantium under the Comneni, 1081–1261* (Cambridge, 1995), 530–63.

and represent the highly original contribution of churchmen to late Byzantine political thought. Furthermore, hierocratic theory was a striking intellectual development in Byzantium, where traditionally the emperor was thought to be a quasi-priest and wielded a great degree of authority over ecclesiastical administration. The late medieval Western observers cited above – the emperor Frederick II Hohenstaufen and the anonymous author of the travelogue attributed to Sir John Mandeville – were struck by this characteristically Byzantine pattern of church–state relations. Modern scholars have followed suit, and some have described Byzantium as a caesaropapistic or theocratic state. Late Byzantine hierocratic thought arose in reaction to, dialogue with, and competition with traditional ideas of the emperor-priest, and challenged the continually strong control of the emperor over ecclesiastical administration. We have purposely chosen not to deal here with the fading echo of the ideology of imperial priesthood. Late Byzantine ecclesiastics had little new to offer to this ideology, which, as we shall see, persisted as a carryover from the period before 1204. In the course of our discussion we shall frequently touch on the traditional theory which hierocratic thought attempted to counter.

Little has been written on the subject of hierocratic political thinking in Byzantium, despite the interest which it naturally arouses. In a seminal article published in 1935 George Ostrogorsky drew attention to late Byzantine and early Russian ceremonial uses of the Donation of Constantine. Much more recently, in 1995, Gilbert Dagron pointed to the existence of strong ideological challenges to the emperor's position in the church, especially during the eleventh century and again in connection with the Donation of Constantine.[4] These important studies have only touched the surface of a current of hierocratic thought that in fact ran deeper in Byzantine ecclesiastical writing. Our study will begin by a look at late Byzantine ecclesiastical history, an examination of the traditional discourse of the priestly power of the emperor, and a survey of the sources on and factors for the development of hierocratic thought.

[4] G. Ostrogorsky, "Zum Stratordienst des Herrschers in der byzantinisch-slavischen Welt," SK, 7 (1935), 187–204; G. Dagron, *Empereur et prêtre. Études sur le "césaropapisme" byzantin* (Paris, 1995), 229–55 (or G. Dagron, *Emperor and Priest: the Imperial Office in Byzantium*, trans. J. Birrell, rev. edn. (Cambridge, 2003), 223–47). All references henceforth will be to the revised English translation. Our analysis builds on Dagron's pioneering study, which has focused mostly on the period between the fourth and the twelfth centuries.

INTRODUCTION

The church and the emperor after 1204: rising authority vs. traditional rights

The prestige of the church in Byzantine society rose significantly during the thirteenth and the fourteenth centuries as a factor of unity and stability in the politically fragmented Byzantine world. Soon after the fall of Constantinople to the Latins, in 1208 the Orthodox patriarchate of Constantinople was revived in exile in Nicaea alongside the imperial office. The Byzantine patriarch – seated at first in Nicaea and after 1261 in the restored imperial capital – assumed the traditional title of "archbishop of Constantinople, New Rome, and ecumenical patriarch."[5] As a result of the disintegration of the Byzantine empire, the area under the ecclesiastical jurisdiction of the patriarchate was far more extensive than the tax-paying territory controlled by the emperor. Even as the empire expanded into the Balkans from the 1240s onward, it never succeeded in establishing its political sway over the larger flock under the spiritual authority of the patriarchate. The patriarchal synod in Nicaea regularly ordained metropolitans in the Greek-speaking areas in the Balkans which lay outside the territory of the empire. Only during the four-year period of schism between the Nicaean and the Epirote churches (1228–32) did the patriarchate lose control over some Balkan dioceses.[6] The patriarch also ordained the metropolitan of Trebizond, who until 1260 was required to present himself in Nicaea; after this date a special patriarchal representative was to travel to Trebizond to perform the ordination.[7] The patriarchal synod seated in Nicaea (and later in Constantinople) regularly dealt with ecclesiastical and canonical issues in Turkish-held Asia Minor, in the Crimea, and in Russia.[8] In 1232 Patriarch Germanos II (1223–40) boasted in a letter to the Roman cardinals that the Orthodox patriarchate in Nicaea commanded the obedience of many foreign peoples, such as the Ethiopians, Syrians, Georgians, Abasgians, Alans,

[5] See the signature of patriarch Theodore II Eirenikos (1214–16), in A. Papadopoulos-Kerameus, "Θεόδωρος Εἰρηνικός, πατριάρχης οἰκουμενικὸς ἐν Νικαίᾳ," BZ, 10 (1901), 192.

[6] On the schism between Epiros and Nicaea see A. Karpozilos, *The Ecclesiastical Controversy between the Kingdom of Nicaea and the Principality of Epiros, 1217–1233* (Thessaloniki, 1973).

[7] Laurent, *Regestes*, 1351.

[8] Ibid., 1240, 1241 (an. 1226, Melitene); 1247 (an. 1228, Russia); 1297 (Iconium); 1424, 1427 (an. 1275 and 1276, Crimea); 1511, 1568 (an. 1288 and 1296, Antioch); Darrouzès, *Regestes*, 2434 (an. 1361, Russia and Lithuania).

'the innumerable Russians,' and the victorious kingdom of the Bulgarians.[9] None of the late Byzantine emperors could realistically raise a similar claim of ecumenism.

The church gained not only in prestige vis-à-vis the imperial office, but also in tangible power prerogatives. Ecclesiastics acquired new and substantial rights as high judges in civil matters. In the early thirteenth century, for example, the archbishop of Ohrid, Demetrios Chomatenos, operated a law court in Ohrid, whose surviving dossier of judicial decisions demonstrates that the ecclesiastic administered secular legislation and attracted numerous plaintiffs from a large area of the Balkans outside his immediate diocese. From the second half of the thirteenth century onward, the patriarchs of Constantinople rose to the position of high-standing judges, holding courts of appeal jointly with the emperor or independently.[10] In fact, in the second half of the fourteenth century the patriarchal court of justice outgrew in importance the imperial tribunal, as its busy and uninterrupted activity in this period attests.[11] Ecclesiastics played an important role in the newly introduced supreme court of the empire, "The General Judges of the Romans." In 1296 Andronikos II appointed twelve General Judges, six churchmen and six laymen, who were to meet in the imperial palace and had the right to proffer legal charges even against the emperor and the empress.[12] Although this tribunal ceased to operate soon after 1296, it was permanently reestablished from 1329 onward at both a central and local level, and continued to include an equal number of laymen and ecclesiastics.[13] Andronikos III solemnly swore in 1329 to obey the rulings of the

[9] Cod. Vat. gr. 1407, f. 361 r. See Laurent, *Regestes*, 1257. The Serbs are conspicuously absent from this list since in 1220 they had been granted ecclesiastical autonomy from the patriarch of Constantinople. See Laurent, *Regestes*, 1225.

[10] Patriarch John XI Bekkos (1275–82) is known to have presided over a special court of appeal each Tuesday at the monastery of Chora together with Michael VIII. See Pachymeres I.ii, 517–23. In January 1267 Michael VIII sent decrees (ὁρισμοί) throughout the entire empire, proclaiming that the orders of Patriarch Joseph I (1266–75, 1282–83) had the same legal authority as those of the emperor. See Pachymeres I.ii, 396–97 and n. 3 by the editor, Albert Failler; Dölger, *Regesten*, 1939d. The letters of Patriarch Athanasios I from the first decade of the fourteenth century show that the patriarch received appeals which he transmitted to the emperor's attention. See, for example, *The Correspondence of Athanasius*, ed. A.-M. Talbot (Washington, 1975), no. 14, 33–37. Athanasios also held a special court of appeal for cases of social oppression. See Pachymeres II.iv, 405.14–19.

[11] P. Lemerle, "Recherches sur les institutions judiciaires à l'époque des Paléologues. II. Le tribunal du patriarchat ou tribunal synodal," *Mélanges Paul Peeters*, vol. 2 (Brussels, 1950), 318–33; cf. P. Lemerle, "I. Le tribunal impérial," *Pankarpeia. Mélanges Henri Grégoire* (Brussels, 1949), 369–84.

[12] Pachymeres II.iii, 261–63; Dölger, *Regesten*, 2188.

[13] P. Lemerle, "Le juge général des Grecs et la réforme judiciaire d'Andronic III," *Mémorial Louis Petit* (Bucharest, 1948), 292–316; P. Lemerle, "Documents et problèmes nouveaux concernant les juges généraux," Δελτίον τῆς Χριστιανικῆς Ἀρχαιολογικῆς Ἑταιρείας, 4.4 (1966), 29–44.

General Judges, even if the court were to decide to bring the emperor to trial.[14]

For the first time in its history, the Byzantine church took the initiative to draft imperial legislation. One of the two new pieces of secular legislation introduced in late Byzantium was the novel of 1304–05 drafted by Patriarch Athanasios I (1289–93, 1303–09) – himself a hierocratic thinker and an ecclesiastical reformer. The two other novels promulgated by the Palaiologan emperors dealt with church administration, not with civil affairs.[15] In addition to the new judicial prerogatives of ecclesiastics, the late Byzantine period saw the concentration of new powers in the hands of the patriarch over the hierarchy of the church. Patriarch Athanasios asserted his own authority by expelling from Constantinople bishops who had abandoned their sees uncanonically in the wake of the Turkish conquests in Asia Minor.[16] In 1312 the monasteries of Mount Athos were transferred from the jurisdiction of the emperor to that of the patriarch. In the first half of the fourteenth century a procedure for the official canonization of saints was introduced at the patriarchal synod, which gave the patriarchate a degree of central control over potentially subversive new saint cults.[17]

Nevertheless, while the authority of the church was clearly on the rise after 1204, the imperial office retained its traditional powers over ecclesiastical administration. All church properties and monastic lands were subject to imperial taxation, even though the emperor often granted tax-exempt status to ecclesiastical proprietors. According to an old and unchallenged custom, the emperor selected the patriarch from among three candidates proposed by the patriarchal synod and invested him with the episcopal staff.[18] In

[14] See the emperor's oath to the General Judges published by Zepos, JGR, vol. 1, 580–81, and Sathas, MB, vol. 6, 76–78 (ος' – οη' of the Greek pagination of the preface). The imperial *prostagmata* published in the two editions are fully identical and must be considered one document. Franz Dölger wrote two entries in his *Regesten*, one for 1296 (*Regesten*, 2183) with a question mark and a reference to Sathas' edition, and one for 1329 (*Regesten*, 2747), with a reference to Zepos' edition. Cf. Lemerle, "Le juge général," 296–302.

[15] In January or February 1279 Michael VIII issued a novel on patriarchal monasteries. See Pachymeres I.ii, 573; Dölger, *Regesten*, 2040. This novel has not survived. In May 1294 Andronikos II promulgated a novel on simony. See Pachymeres II.iii, 225; Dölger, *Regesten*, 2159. The novel survives only in an Old Church Slavonic translation and has been published by P. Sokolov, *Russkii arkhierei iz Vizantii i pravo ego naznacheniia do nachala XV veka* (Kiev, 1913), 209–12.

[16] See below, p. 406.

[17] Nicol, *Church and Society*, 19–20; R. Macrides, "Saints and Sainthood in the Early Palaiologan Period," in S. Hackel (ed.), *The Byzantine Saint* (San Bernardino, 1983), 83–85, discusses the cases of Saints Meletios, Athanasios, and Gregory Palamas.

[18] Three late Byzantine accounts of court ceremonies give an identical description of the electoral procedure. See Pseudo-Kodinos, 277–81; Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, cols. 440–41; Makarios of Ankara, in V. Laurent, "La rituel de l'investiture du patriarche byzantin au début du XV^e siècle," BSHAR, vol. 28 (1947), 231–32. For examples from the fourth

a similar way the emperor selected and invested the orthodox patriarchs of Jerusalem, Alexandria, and Antioch as well as the autocephalous archbishops of Cyprus and Ohrid.[19] Emperors naturally preferred to appoint patriarchs personally loyal to them – a fact which did not escape the notice of observant Byzantine contemporaries.[20] As we shall see, even late Byzantine proponents of the hierocratic thesis accepted the validity of this hallowed electoral tradition, although they found ingenious ways of explaining it away and denying the emperor any possession of priestly power.

The authority of the emperor over the lower ecclesiastical orders was weaker than that over the patriarchate, yet it was by no means negligible. An important administrative right of the emperor was that of altering the order of precedence of ecclesiastical sees and promoting bishoprics to the higher rank of metropolitan sees.[21] By law the emperor had no right to select or ordain bishops. According to the ecclesiastical canons, the bishops of the eparchy formed an electoral college that nominated three candidates for episcopal election, from among whom the metropolitan picked the new bishop. The custom in case of metropolitan elections was that the synod at the patriarchate nominated three candidates and the patriarch chose the future metropolitan. The canons thus excluded laymen from the electoral process. Secular law, however, left a window open for the participation of laymen in an episcopal election. According to the Justinianic legislation (which middle and late Byzantine legal compendia continue to transmit), the electoral college that proposed three candidates for episcopal election was composed of ecclesiastics and "the leading men of the city."[22] Secular law thus gave the opportunity to an emperor, posing as a lay elector, to propose episcopal candidates and thus bring all his weight to the matter. This customary procedure received its full legal sanction for the first time

through the ninth centuries, see A. Michel, *Die Kaisermacht in der Ostkirche (843–1204)* (Darmstadt, 1959), 28–29.

[19] Pseudo-Kodinos, 282. Pachymeres (II.iii, 67), however, leaves the impression that the patriarchal synod of Constantinople selects the patriarch of Antioch.

[20] Akropolites I, 72; Gregoras I, 292.

[21] Matthew Blastares, *Syntagma*, in Rhalles-Potles, vol. 6, 275–76. This right derived from canon 38 of the Quinisext Ecumenical Council in 692. See Balsamon's commentary in Rhalles-Potles, vol. 2, 392–95.

[22] The main laws on episcopal election are Canon 4 of the Ecumenical Council of Nicaea, Canons 13 and 49 of the Council of Carthage (419 A.D.) and novels 123 and 137 of Justinian (excerpted in *Basilika*, 3,1). In the fourteenth century Matthew Blastares argued for the primacy of the canons over Justinianic legislation. See Matthew Blastares, *Syntagma*, in Rhalles-Potles, vol. 6, 498 (commentary on Justinian's novel 137). By contrast, Harmenopoulos cited novel 137 in an appendix to his legal collection devoted to episcopal elections. See *Hexabiblos*, ed. K. Pitsakes, 380 ff. The thirteenth-century canonist John of Kitros referred the bishop of Dyrrachion Kabasilas to novel 137 of Justinian and *Basilika* 3,1,8. See Rhalles-Potles, vol. 5, 406.

in the late thirteenth century. Andronikos II's novel on simony (1294) mentioned the emperor as a member of the electoral college which proposed candidates for episcopal elections.[23] In addition, there were ecclesiastical customs and procedures which enabled the emperor to monitor the loyalty of the already elected bishops. All newly elected bishops were required to present themselves to the emperor and deliver a prayer on his behalf. Furthermore, an official agreement of 1380–82 between the patriarchate and the imperial office stipulated that every new bishop was to give an official promise of fidelity to the emperor. The emperor was given the right to pass a formal judgment on the three candidates proposed to the patriarch for metropolitan election. In the case of his disapproval of any candidate, he was entitled to take him off the list before the patriarch made the final decision.[24]

The ideology of imperial priesthood and its opponents

The extensive degree of involvement of the emperor in matters of church administration found its ideological expression in the concept that the ruler was a quasi-priest. The ideology of imperial priesthood had its origins in the Roman past of the empire, when emperors had styled themselves with the pagan priestly title of *pontifex maximus*. In a Christian context, the idea of sacerdotal kingship was first formulated in the era of Constantine the Great – a saintly ruler whom his biographer Eusebius compared to a "general bishop" in the church and "bishop over the outside."[25] Constantine thus set an important precedent for the priestly ambitions of the Byzantine emperors. The Byzantine church officially adopted the view that the emperor had a special, mixed persona of layman and quasi-priest, and sanctioned his sacerdotal rights in the liturgy. The Quinisext Ecumenical Council which convened in 692 decreed in its canon 69 that the emperor stood above the ranks of the common laity and was entitled, just as were

[23] In a letter of 1222 to the patriarch Manuel I Sarantenos (1217–22), the metropolitan of Naupaktos John Apokaukos insisted that the ruler of Epiros was entitled to participate in the election of the three episcopal candidates. See V. Vasil'evskii, "Epirotica saeculi XIII," no. 17, 273.14–17. On Andronikos II's novel, see Sokolov, *Russkii arkhierei iz Vizantii*, 212. Andronikos II's novel quotes novel 137 of Justinian, which prohibited venality in episcopal elections, and interpolates the emperor among the clerics and "leading men of the city" who, according to novel 137, were entitled to propose candidates for bishops.

[24] See the text of the customary prayer in I. Habert, *Ἀρχιερατικόν* (Paris 1643; repr. Farnborough, 1970), 497–98. Nikephoros Gregoras was the author of such a prayer; it is found in Vat. gr. 1086, 214 r.–215 v. On the veto power of the emperor, see V. Laurent, "Les droits de l'empereur en matière ecclésiastique. L'accord de 1380/82," REB, 13 (1955), 15.10–16, 16.49–52.

[25] Dagron, *Emperor and Priest*, 127 ff.

the priests, to enter the sanctuary of the church – an act strictly prohibited to lay people – and to offer gifts to God. In the tenth century the emperor regularly entered the sanctuary on major dominical feasts, offered gifts to God, and censed the holy altar like a priest.[26] This situation had not changed much by the late Byzantine period, when the emperor continued to enjoy special sacerdotal privileges during the liturgy. On the day of his coronation and anointment, for example, the emperor entered the sanctuary of the church, censed the holy altar, and even took communion in this most sacred part of the church, just as the priests did. The communion of the emperor in the sanctuary was a coronation rite unattested and probably unpracticed in the earlier period. Furthermore, late Byzantine emperors held, at least from the mid fourteenth century onward, the clerical post of *depoutatos* – the lowest ranking churchman in the patriarchal clergy who served as a sort of sexton or verger. Pseudo-Kodinos implies that this ecclesiastical post entitled the emperor to lead the candlelight procession in the church of Saint Sophia after his coronation.[27] Nonetheless, the liturgical privileges of the emperor during the later period continued to be few and were far from amounting to full priestly power; thus the emperor could take communion together with the priests in the sanctuary only on the day of his coronation. In some respects his privileged position in the liturgy diminished in comparison with the earlier period. At Easter, for example, the emperor was no longer permitted to enter the sanctuary and cense the holy altar, as had been the case in the tenth century.[28]

The best-argued formulation of the ideology of imperial priesthood is found in the commentaries of the great twelfth-century canonist and patriarch of Antioch Theodore Balsamon. In his commentary on canon 69 of the Quinisext Ecumenical Council, Balsamon wrote that the emperors had the right to enter the sanctuary of the church whenever they wished (contrary to the opinion that they could do so only in order to offer gifts

[26] See the description in the ceremonial book of Constantine Porphyrogennetos, *Constantine VII Porphyrogénète: le livre des cérémonies*, ed. A. Vogt, vol. 1 (Paris, 1935), 11–12, 22, 59, 123. Cf. J. Majeska, "The Emperor in His Church: Imperial Ritual in the Church of St. Sophia," in H. Maguire (ed.), *Byzantine Court Culture from 829 to 1204* (Washington, 1997), 1–11.

[27] Pseudo-Kodinos, 267–68; Symeon of Thessaloniki, *De Sacro Templo*, PG, vol. 155, col. 352BD. In the tenth century Constantine Porphyrogennetos did not describe the church service during the imperial coronation; at that time the emperor took communion on major feast days either in front of the sanctuary or in the gallery of Hagia Sophia, where the consecrated bread and wine were laid on a small portable altar (*antiminsion*). See *Constantine VII Porphyrogénète*, vol. 1, 13, 60–61, 70–71, 79–80, 104–05, 123–24, 140, 154–55. The office of *depoutatos* ranked either last or penultimate in late Byzantine lists of patriarchal offices. See J. Darrouzès, *Recherches sur les OFFIKIA de l'Église byzantine* (Paris, 1970), 231, n. 4, 272 (chart), 552, 569.

[28] See Pseudo-Kodinos, 237.29–238.4.

to God), to deliver sermons, to cense, and to bless with a small three-branched candelabrum (*trikerion*) which bishops used in church services. To back up the claim of the similarity of the emperor to a bishop, Balsamon quoted a passage from Flavius Josephus' *History of the Jews*, where the Roman emperor Tiberius styled himself "most exalted bishop" (*archiereus megistos*), an expression that is a Greek translation of the pagan priestly title of *pontifex maximus*.[29] Balsamon reasoned that since Christ, the Anointed One (the meaning of *christos* in Greek), was called a bishop in the Holy Scripture, then the emperor also possessed "episcopal grace" on account of his anointment with imperial power. Balsamon's canonical opinions remained influential after 1204 and were read in the late Byzantine period. In the early thirteenth century the archbishop of Ohrid Demetrios Chomatenos quoted verbatim Balsamon's argument about the emperor-priest in a response to a query by the metropolitan of Dyrrachion Constantine Kabasilas regarding the legality of the transfers of bishops. Chomatenos explained that as "a general *epistemonarches* of the churches" (the meaning of this term will be explained below) the emperor had the right to move a newly elected bishop from one ecclesiastical see to another as well as to preside over synods and confirm their decisions, to legislate about ecclesiastical affairs, and to change the rank of sees in the ecclesiastical hierarchy.[30] Chomatenos concluded that the emperor was a bishop in "every respect apart from officiating the liturgy" and backed up this statement by citing Balsamon's canonical commentaries; he referred to the same passage of Flavius Josephus' *History of the Jews* and used the same reasoning about the episcopal charisma of the emperor.

The canonist Theodore Balsamon was close to the imperial court of the Angeloi, and his ideas about the sacerdotal nature of imperial power were fully in tune with the voice of contemporary propaganda. In the mid-twelfth

[29] Balsamon, Rhalles-Potles, vol. 2, 466–67 (commentary on canon 69 of the Quinisext Ecumenical Council permitting the emperor's entry into the sanctuary of the church). See Dagron, *Emperor and priest*, 259 ff., and Dagron, "Le caractère sacerdotal de la royauté d'après les commentaires canoniques du XII^e siècle," in N. Oikonomides (ed.), *Byzantium in the Twelfth Century. Cannon Law, State and Society* (Athens, 1991), 165–78. Dagron has shown that Balsamon presented his argument in two versions, a moderate and a much more extreme one, the latter of which is edited by Rhalles and Potles. The reference from the history of Flavius Josephus is to *Antiquitates judaicae*, 19,287. On the title of *pontifex maximus* which was used for the last time by the emperor Gratian in the second half of the fourth century, see G. Rösch, *Onoma Basileias. Studien zum offiziellen Gebrauch der Kaisertitel in spätantiker und frühbyzantinischer Zeit* (Vienna, 1978), 30–31, 85–88.

[30] Chomatenos, ed. Pitra, cols. 631–32 (same as Rhalles-Potles, vol. 5, 428–29). On Balsamon's influence on Chomatenos' understanding of customary law, see D. Simon, "Balsamon zum Gewohnheitsrecht," in W. Aerts *et al.* (eds.), ΣΧΟΛΙΑ. *Studia ad criticam intepretationemque textuum Graecorum et ad historiam Iuris Graeco-Romani pertinentia viro doctissimo D. Holwerda oblata*, (Groningen, 1985), 119–33, esp. 129–30.

century the Komnenian emperors had begun to style themselves with a new priestly epithet, which rapidly acquired common usage: that of *epistemonarches*. The epithet originated from a special title borne by the disciplinary officer in Byzantine monasteries and served to express the emperor's claims of extensive administrative, judicial and legislative powers in the church.[31] Manuel I Komnenos titled himself *epistemonarches* when participating in the trial of the allegedly Bogomil patriarch Kosmas II Attikos (1146–47) and Isaac II Angelos bore this description when issuing legislation on the subject of episcopal elections.[32] The new priestly imperial title persisted after 1204 in Nicaea and after 1261 in the restored empire of Michael VIII Palaiologos. In 1208 the Constantinopolitan clergy spoke of Theodore I Laskaris as possessing the cloak of an *epistemonarches* when appealing to the Nicaean ruler to arrange for the election of the first patriarch in exile of Constantinople.[33] In 1216 a synod presided over by Nicholas Mesarites, metropolitan of Ephesos and exarch of Asia, called the Nicaean ruler *epistemonarches* when commenting on his right to elect patriarchs.[34] Michael VIII Palaiologos used the title *epistemonarches* when he presided over the trial of Patriarch Arsenios, when he selected Arsenios' successor Germanos III, and when he issued an ordinance on the subject of church administration.[35] The ideology of the imperial priesthood continued to manifest itself after 1204 at an official level.

The priestly mystique of the emperor was not destined to remain either unquestioned or unchallenged in Byzantium. For one thing, the Byzantines acknowledged that secular and spiritual authority were fundamentally different and distinct. The late antique period had seen the formulation of important definitions of the two separate powers of "kingship" (*basileia*) and "priesthood" (*hierosyne*) – known also by their Latin designation as *imperium* and *sacerdotium*. The best known and probably most influential

[31] The seminal study on the origins of the term is by N. Stephanides, "Οἱ ὅροι ἐπιστήμη καὶ ἐπιστημονάρχης παρὰ τοῖς Βυζαντινοῖς," EEBS, 7 (1930), 153–58. See also Dagron, *Emperor and Priest*, 248–55.

[32] Rhalles-Potles, vol. 5, 309, 314.

[33] Heisenberg, *Neue Quellen*, II, 31.5–9. The patriarch who was elected was Michael IV Autoreianos (1208–14).

[34] In winter 1216 Patriarch Theodore II Eirenikos died, and Theodore I Laskaris asked the synod whether it was permissible for the emperor to invest a patriarch while away on campaign. In May the same year Mesarites and a number of bishops issued a special ruling which said that the emperor, although being on campaign, still possessed his usual rights in the church, such as investing the patriarch, setting up judicial ecclesiastical tribunals, convoking synods, investigating dogmatic issues, and making administrative appointments. See E. Kurtz, "Tri sinodalnyh gramoty mitropolita efesskago Nikolaia Mesarita," VV, 12 (1906), 103–05, esp. 104.25–28 (Dölger, *Regesten*, 1698).

[35] Pachymeres I.ii, 341.15–20; I. Sykoutres, "Συνοδικὸς τόμος τῆς ἐκλογῆς τοῦ Πατριάρχου Γερμανοῦ τοῦ Γ΄ (1265–1266)," EEBS, 9 (1932), 180.16–21; MM, vol. 5, 247–48.

presentation of the theory of the two powers is found in the preamble to Justinian's sixth novel. The novel states that there are two principles of power in the world, kingship and priesthood, and they work in close cooperation and in unison with each other. Kingship pertains to human affairs, while priesthood deals with matters religious and divine.[36] This ideal of cooperation between the two powers reverberated in the middle and the late Byzantine period: we find similar formulations in legal collections and in historical works.[37] Yet the precise relationship between the two synergetic powers, the secular and the religious, was never clearly defined and was therefore subject to individual interpretation. Was it imperial power or was it priestly power that was more important in the dichotomy? The Greek fathers of the church systematically advanced the idea that the power of priesthood was superior to secular power.[38] John Chrysostom, for example, compared the difference between priesthood and secular power to that between one's eternal soul and perishable body. This patristic interpretation, not entailing any practical political consequences, remained influential in Byzantine ecclesiastical thought. The opinions of the Greek fathers of the church on the precedence of priestly power were not only read, but were specially honored and excerpted in popular monastic florilegia – and thus could, and did, fuel anti-imperial ideas, as we shall shortly see.[39]

The notional separation between secular and priestly power, significant as it is for understanding the full gamut of ideas on church–state relations in Byzantium, did not pose a strong challenge to the ideology of imperial priesthood. The explanation for this is simple: Byzantine political imagination was flexible enough to accommodate the existence of the two

[36] R. Schöll and G. Kroll, *Corpus Iuris Civilis*, vol. 3, *Novellae* (Berlin, 1928), novel 6, 35–36; See F. Dvornik, *Early Christian and Byzantine Political Philosophy. Origins and Background*, vol. 2 (Washington, 1966), 815 ff; J. Meyendorff, "Justinian, the Empire and the Church," DOP, 22 (1968), 43–60.

[37] *Eisagoge*, III,8, in Zepos, JGR, vol. 2, 242; Leo the Deacon, *Historia*, CHSB, ed. C. Hase (Bonn, 1828), 101–02; Gregoras III, 195; *Correspondence of Athanasius*, no. 81, 202. Cf. M. Th. Fögen, "Das politische Denken der Byzantiner," in I. Fetscher and H. Münkler (eds.), *Pipers Handbuch der politischen Ideen*, vol. 2, (Munich and Zurich, 1993), 59–60.

[38] John Chrysostom, *On Priesthood*, III, in A. Malingrey, *Jean Chrysostome. Sur le Sacerdoce* (Paris, 1980), 136.11–13. For other similar opinions by Basil of Caesaria and Maximos the Confessor, see S. Troitzky, "Théocratie ou césaropapisme," *Messager de l'exarchat du Patriarche russe en Europe occidentale*, 19 (1954), 165–77. Troitzky thought that Balsamon innovated and intentionally formulated his theory of imperial priesthood in order to curry favor with the emperor Isaac II and be elected patriarch of Constantinople, for which he was indeed a candidate in 1189. In fact, Balsamon simply systematized a view which had existed for centuries (since Constantine the Great in the context of the Christian empire).

[39] John Chrysostom's opinion was excerpted in the florilegium *Sacra Parallela* attributed to John of Damascus. See PG, vol. 95, col. 1544. It was also excerpted in the eleventh-century florilegium *Melissa*. See PG, vol. 136, col. 1017C.

separate powers with the possibility that a charismatic ruler could hold and embody them at the same time. The Byzantines knew from the Bible that seminal figures from the Judeo-Christian past had once wielded the two powers simultaneously. The most important biblical priest-king was doubtless Melchizedek, the mysterious ruler of Jerusalem who briefly appears in the Book of Genesis.[40] Further, the Bible describes King David and Christ as priest-kings modeled after Melchizedek.[41] The biblical priest-kings were imagined in Byzantium to have been the source of origin of the two powers of *imperium* and *sacerdotium*. The sixth novel of Justinian explicitly states that the two powers devolved from one and the same beginning, presumably Christ.[42] Official imperial propaganda took advantage of the fact that Christ, David, and Melchizedek were models of imperial authority and claimed that the emperor mimicked biblical priest-kings. For example, in his versified panegyric of John III Vatatzes, Blemmydes praised the Nicaean ruler for being "another priest-king Melchizedek."[43] Biblical sacerdotal kingship was not only an imperial monopoly, however. It is important to note that the figure of Melchizedek was, too, a model for patriarchs and was considered to be the origin of the entire Byzantine priesthood.[44] Thus, while the Byzantines entertained the idea of two separate and very different powers of kingship and priesthood, they were also aware that these powers stemmed from a common biblical source and that they could converge in the hands of a single individual. The ideology of imperial priesthood, for its part, in no way blurred or eclipsed the traditional notional distinction between imperial and priestly power.

The strongest challenge to the ideology of imperial priesthood took the form of aspirations of ambitious Byzantine patriarchs to appropriate the

[40] Genesis 14:18–20, where the enigmatic king of Salem (Jerusalem) Melchizedek appears for a brief moment and blesses Abraham.

[41] In Psalm 109 David is presented as a priest and king like Melchizedek. In his letter to the Hebrews 5:6, Saint Paul called Christ a king and priest "in the order of Melchizedek." See also Hebrews 7, where Saint Paul explains the origins of Christian priesthood from Melchizedek.

[42] Schöll and Kroll, *Novellae*, 35.31: ἐξ μιᾶς τε καὶ τῆς αὐτῆς αρχῆς.

[43] *Nicephori Blemmydae curriculum vitae et carmina*, ed. A. Heisenberg (Leipzig, 1896), 108.248–109.249: αἰδοῦνται γὰρ τὴν ἀρετὴν πάντες τοῦ βασιλέως, ἄλλον τινὰ Μελχισεδὲκ ἱεροβασιλέα. The statement that "every just emperor has a priestly rank" is found in Byzantine florilegia, where sometimes it is attributed to Saint Irenaeus. See the florilegia attributed to John of Damascus (PG, 95, col. 1292; PG, vol. 96, col. 513C), as well as the *Melissa* florilegium (PG, vol. 136, col. 1004B).

[44] M. Loukaki, "Première didascalie de Serge le Diacre: éloge du patriarche Michel Autôreianos," REB, 52 (1994), 173. See also Gregory Antiochos' panegyric of the patriarch Basil II Kamateros (1183–86): M. Loukaki, *Grégoire Antiochos. Éloge du patriarche Basile Kamatèros* (Paris, 1996), 75. The Nicaean patriarch Germanos II wrote that the Byzantine priesthood originated from the priestly order of Melchizedek, unlike the Latin one which originated from the Jews and hence used unleavened bread during the liturgy *more Iudaeorum*. See A. Dondaine, "'Contra Graecos', premiers écrits polémiques des Dominicains d'orient," *Archivum Fratrum Praedicatorum*, 21 (1951), 429.

power symbolism of the imperial office and to claim superiority over the emperor. The two most prominent cases are those of patriarchs Photios (858–67, 877–86) and Michael I Keroularios (1043–58). Photios advanced the idea that the patriarch was the emperor's equal and was entitled to challenge his authority. The law collection *Eisagoge*, whose production Photios personally supervised, is unique among compendia of its kind in laying out the legal position of the patriarch in the empire.[45] According to the *Eisagoge*, the patriarch is modeled after Christ – he is a "living image of Christ" just like the Christomimetic emperor. Furthermore, the patriarch is entitled to rebuke a ruler who disregarded the doctrine of the church and acted unjustly.[46] This ambitious definition of patriarchal power in the *Eisagoge* remained influential in late Byzantine law.[47] In addition to the legal collection *Eisagoge*, Photios also asserted the power of the church in Pseudo-Basil's mirror of princes, of which he was the probable author. Here he wrote that the church suckled and nourished the emperor in piety and admonished the ruler to respect the church as if she were his own mother.[48] Thus after the victory of the church in the Iconoclast controversies of the eight and early ninth centuries, Photios rebuffed the emperor's claim to be able to impose his will in matters of doctrine.

The second patriarchal challenge to the ideology of imperial priesthood occurred almost two centuries after Photios. It was far more radical and of Western inspiration. Patriarch Michael I Keroularios put on the purple buskins – an exclusive attribute of imperial authority – and claimed to possess the right to appoint and dismiss emperors.[49] The presumptuous patriarch was eventually arrested on charges of anti-imperial conspiracy and died during the trial. To substantiate the superiority of the patriarch over the imperial office, Michael Keroularios appears to have used a spurious legal document which was a cornerstone of the papal monarchy in the West: the "Donation of Constantine."[50] A short introduction to the Donation is needed at this point to facilitate further discussion.

[45] A. Schminck, *Studien zu mittelbyzantinischen Rechtsbüchern* (Frankfurt am Main, 1986), 12–14, has shown that the title of the legal collection is *Eisagoge*, not *Epanagoge* as previously thought. On the connection between Photios and the *Eisagoge*, see J. Scharf, "Photios und die Epanagoge," BZ, 49 (1956), 385–400.

[46] *Eisagoge*, III, 1 and 4, in Zepos, JGR, vol. 2, 242. See G. Dagron, *Emperor and Priest*, 229–35.

[47] Matthew Blastares, *Syntagma*, Rhalles-Potles, vol. 6, 428–29.

[48] Pseudo-Basil, 51, ch. 3. See chapter 6, pp. 185–86.

[49] See the testimony of Skylitzes Continuatus, in E. Tsolakes, *Ἡ συνήχεια τῆς χρονογραφίας τοῦ Ἰωάννου Σκυλίτση* (Thessaloniki, 1968), 105.

[50] According to Theodore Balsamon (writing more than a century later), the Donation was a prime source of inspiration for Keroularios. See Rhalles-Potles, vol. 1, 148–49 (translated by Dagron, *Emperor and Priest*, 244–45). G. Dagron, *Emperor and Priest*, 241, adduces artistic evidence in support of the view that the Donation became known in Byzantium in the middle of the eleventh century. Cf.

An anonymous forger associated with the Lateran church in Rome in the second half of the eighth century appears to have been the author of the Donation of Constantine (*Constitutum Constantini*).[51] The forgery consists of two parts: the *confessio*, which relates the miraculous recovery of Constantine from leprosy and his Christian baptism by Pope Sylvester (a story known as "the Sylvester legend"), and the *donatio*, which describes the political and ceremonial privileges the emperor bestowed on the pope. It is the second, legally substantive part of the document (the *donatio*) which began to circulate in Byzantium prior to 1204; it relates how on his baptism Constantine the Great bestowed his imperial insignia, including his crown, on Sylvester and attended him as his squire. Sylvester retained possession of the imperial insignia, although he preferred to return the crown to Constantine, who then departed with the imperial court for his new capital in the east and installed the pope as the supreme governor of the western part of the Roman empire. The medieval popes – especially the reformist popes of the eleventh century – used the Donation to claim possession of imperial rights and insignia as well as ecclesiastical primacy in Christendom.[52] A special ritual reenacting Constantine's willing subjection to Sylvester grew out of the Donation: that of the groom service (*officium stratoris*) of the western emperor to the pope, first introduced in the middle of the ninth century. From the mid-twelfth century onward the ritual groom service to the Roman pontiff became a regular component in coronations of the western emperor and in ceremonial encounters between popes and secular rulers.[53] It is of special significance to us that the reformist papacy of the eleventh century used the Donation in polemics with the Byzantine church that provoked the onset of the Eastern Schism in 1054 and thus

I. Kalavrezou, N. Trahoulia, and S. Sabar, "Critique of the Emperor in the Vatican Psalter Gr. 752," DOP, 47 (1993), 195–219. By contrast, H.-G. Krause, "Das Constitutum Constantini im Schisma von 1054," in H. Mordek (ed.), *Aus Kirche und Reich: Festschrift für Friedrich Kempf* (Sigmaringen, 1983), 131–58, has argued that the text of the Donation never reached Keroularios or his contemporaries, but arrived at Byzantium only in the twelfth century.

51 H. Fuhrmann, "Das frühmittelalterliche Papsttum und die Konstantinische Schenkung," *Settimane di studio del Centro italiano di studi sull'alto medioevo, XX, 1972, Problemi dell'Occidente nel secolo VIII* (Spoleto, 1973), vol. 1, 257–292; N. Huyghebaert, "La Donation de Constantin ramenée à ses véritables dimensions. A propos de deux publications récentes," *Revue d'histoire ecclésiastique*, 71 (1976), 45–69.

52 W. Ullmann, *The Growth of Papal Government in the Middle Ages: A Study in the Ideological Relation of Clerical to Lay Power* (London, 1955), 310–19 (on the papal crown and the use of purple-dyed attire); F. Zinkeisen, "The Donation of Constantine as Applied by the Roman Church," *English Historical Review*, 9 (1894), 625–32; H. C. Lea, "The Donation of Constantine," *English Historical Review*, 10 (1895), 86–87; G. Laehr, *Die Konstantinische Schenkung in der abendländischen Literatur des Mittelalters bis zur Mitte des 14. Jahrhunderts* (Berlin, 1926); D. Maffei, *La Donazione di Costantino nei giuristi medievali* (Milan, 1964).

53 The classic study is by R. Holtzmann, *Der Kaiser als Marschall des Papstes* (Heidelberg, 1928).

introduced the document to an audience of Byzantine ecclesiastics. Notably, the earliest Greek translation of the Donation is based on the text of the *donatio* which Pope Leo IX incorporated in a polemical pamphlet (*libellus*) addressed to Michael Keroularios in 1053.[54]

Michael Keroularios and ecclesiastics in his circle accepted the authenticity of the Donation, although they found an ingenious way to interpret the document for their own benefit. They reasoned that since two ecumenical councils (Constantinople in 381 and Chalcedon in 451) had resolved that the patriarch of Constantinople should have the same privileges as the pope, it was logical to conclude that the imperial privileges granted to the papacy by the Donation of Constantine devolved also onto the Byzantine patriarch. Hence, according to Balsamon, Keroularios felt justified in putting on the purple imperial buskins. Balsamon's canonical commentaries composed in the second half of the twelfth century reveal a lively debate regarding the legal implications and proper application of the Donation. Some canonists rejected the Donation's legal force and relevance to the Byzantine church altogether.[55] Others, including Balsamon himself, considered the Donation to be a valid legal document, yet they viewed its use for furthering imperial claims by patriarchs to be far-fetched. Balsamon himself was of the opinion that the document gave the patriarch some modest rights. For example, the Donation strengthened the judicial authority of the patriarchal tribunal, making its rulings final and not subject to appeal at the imperial tribunal. Balsamon also reasoned that the Donation gave special ceremonial privileges to the patriarchal clergy, which corresponded to the papal college of the cardinals. For example, the *chartophylax* of the patriarchate of Constantinople was entitled to wear a gilded crown and ride the patriarch's horse.[56] As we shall see, the disagreement on how best to interpret the Donation persisted after 1204.

54 The Greek translation of the Donation in Balsamon's canonical commentaries (Rhalles-Potles, vol. 1, 145–48) is based on the Latin text found in Pope Leo IX's pamphlet of 1053. Krause, "Das Constitutum Constantini," has shown that the translation stems from a secondary branch of the pamphlet's manuscript tradition. See also A. Pavlov, "Podlozhnaia darstvennaia gramota Konstantina Velikago pape Silvestru v polnom grecheskom i slavianskom perevode," VV, 3 (1896), 23–29; W. Ohnsorge, "Das Constitutum Constantini und seine Entstehung," *Konstantinopel und der Okzident* (Darmstadt, 1966), 157–62, whose view that the Donation was originally composed in Greek has been rejected. See R.-J. Loenertz, "*Constitutum Constantini*: Destination, Destinataires, Auteur, Date," *Aevum*, 48 (1974), 199–245.

55 Rhalles-Potles, vol. 2, 285–86.

56 Ibid., vol. 3, 149–50 (on the patriarchal court of justice; commentary on canon 12 of Antioch); ibid., vol. 1, 149. Between 1356 and 1361 Neilos Kabasilas, the metropolitan of Thessaloniki, refuted Balsamon's interpretation of canon 12 of Antioch and argued that the decisions of the patriarchal tribunal were in fact subject to appeal at the imperial one. Kabasilas made no reference to the Donation. See A. Failler, "Une réfutation de Balsamon par Nil Kabasilas," REB, 32 (1974), 211–23.

Factors and sources for hierocratic thought after 1204

Late Byzantine hierocratic thought developed as a result of the clashes between secular and ecclesiastical authority which took place in the late thirteenth and early fourteenth centuries. Two conflicts proved to be most productive for the development of novel ecclesiological ideas: the Arsenite schism (1265–1310) and the confrontation between the reformist patriarch Athanasios and the regime of Andronikos II. These two conflicts spawned the composition of numerous polemical works, such as combative letters, tracts, and saints' lives, whose purpose was to expound the arguments of the ecclesiastical party or to present its leader in saintly guise. The polemical works were a hotbed of new ideas, a situation not unlike that of the Investiture Controversy in the eleventh and early twelfth centuries and the subsequent clashes between secular rulers and the papacy in the West. Since a number of hierocratic ideas appear to have been formulated for the first time during these two historical episodes, we must look at them closely. The Arsenite schism was a split in the Byzantine church caused by the deposition of Patriarch Arsenios Autoreianos (1254–60, 1261–64) on trumped-up charges in a trial presided over by the emperor Michael VIII.[57] Arsenios was a strong-minded and ambitious patriarch. His detailed saint's life, itself a source of the political ideas of his followers, permits us to reconstruct Arsenios' life fairly accurately. He was born in Latin-held Constantinople sometime after 1211.[58] His baptismal name was George Autoreianos, while the name Arsenios was a monastic one adopted later in life. His mother and his father belonged to prominent families whose representatives occupied high offices in the civil service and the patriarchate during the late twelfth century, and continued to enjoy a position of power in the empire

57 On the history of the Arsenite schism, see the article series by I. Sykourtes, "Περὶ τὸ σχίσμα τῶν Ἀρσενιατῶν," *Hellenika*, 2 (1929), 268–332; 3 (1930), 15–44; 5 (1932), 107–26; P. Gounaridis, *Τὸ κίνημα τῶν Ἀρσενιατῶν (1261–1310): Ἰδεολογικὲς διαμάχες τὴν ἐποχὴ τῶν πρώτων Παλαιολόγων* (Athens, 1999). I. Troitskii, *Arsenii i Arsenity* – published in the journal *Khristianskoe Chtenie* in the period 1867–72 and reprinted with an introduction by J. Meyendorff (London, 1973) – is a study more illuminating on Russian attitudes toward church–state relations during the late nineteenth century than on the Arsenite schism.

58 The life of Arsenios mentions that he began his secondary education (*enkyklios paideia*) in Nicaea during the reign of John III Vatatzes (1221–54) and the patriarchate of Germanos II (1223–40), that is, at the earliest in 1223. The normal starting age for secondary education in Byzantium was between ten and twelve, therefore Arsenios would have been born at the earliest in 1211. See P. Nikolopoulos, "Ἀνέκδοτος λόγος εἰς Ἀρσένιον Αὐτωρειανὸν πατριάρχην Κωνσταντινουπόλεως," EEBS, 45 (1981–82) (hereafter cited as "Life of Arsenios"), 452.81–90; G. Buckler, "Byzantine Education," in N. H. Baynes and H. St. L. B. Moss (eds.), *Byzantium: An Introduction to East Roman Civilization* (Oxford, 1948), 204–06.

of Nicaea.[59] On his father's death (after 1223) the child Arsenios was moved to Nicaea, where his powerful relatives resided. His education, however, did not go beyond the secondary level, for Arsenios discovered monasticism as his true vocation, avoided secular learning, and eventually substituted the monastery for the school.[60]

Throughout the lengthy monastic period of his life Arsenios maintained a high profile in Nicaean ruling circles. In the 1240s the emperor John III Vatatzes selected Arsenios to be patriarch of Jerusalem, but he declined.[61] In the early 1250s he chose Arsenios to take part in an important embassy to Pope Innocent IV, which was to present the Byzantine position on the Union. Two embassies to the papacy are known to have taken place at that time – the first in 1250–52 and the second in 1253–54 – and Arsenios could have participated in either or in both.[62] In 1254 Arsenios took the helm of the Byzantine church as patriarch of Constantinople in exile. Unanticipated events propelled the erstwhile monk and current patriarch into a position of even greater political power. On the death of Theodore II Laskaris in August 1258 and the assassination of the regent George Mouzalon a month later, an electoral assembly convened in Magnesia and chose Michael Palaiologos as the new regent. In all likelihood Arsenios was not present at that assembly

59 Arsenios's father, Theodore (or Alexios) Autoreianos, had been a civil judge (*krites tou velou*) in Constantinople in the Komnenian period. The Autoreianos family gave Nicaea its first patriarch, Michael IV Autoreianos (1208–14). Arsenios' mother, Eirene Kamatere, was of the Kamateros family, which boasted two late twelfth-century patriarchs – Basil II Kamateros (1183–87) and John X Kamateros (1198–1206). The wife of the first Nicaean ruler Theodore I Laskaris was also a Kamatere, and her maternal uncle, Basil Kamateros, was the real power behind the throne. See Angold, *A Byzantine Government in Exile*, 62, 70–71. Arsenios' family was also related to the Choumnos family. See "Life of Arsenios," 452.85–86.

60 Ibid., 452.78–453.100; Akropolites I, 107; *Synopsis Chronike*, MB, vol. 7, 548.

61 "Life of Arsenios," 456.192–99.

62 The only source mentioning Arsenios' participation in an embassy to Rome is the *Synopsis Chronike* attributed to Skoutariotes, MB, vol. 7, 511 (= Akropolites I, *Theodori Scutariotae additamenta*, 290), which notes that Arsenios traveled to Rome in the company of Andronikos, the metropolitan of Sardis, and George Kleidas, the metropolitan of Kyzikos. The two metropolitans are known to have taken part in both embassies to Pope Innocent IV, in 1250–52 and 1253–54. Andronikos of Sardis would become one of the staunchest Arsenites. On the Byzantine participants in these embassies (including Arsenios) see the detailed prosopographical study by A. Franchi, *La svolta politico-ecclesiastica tra Roma e Bisanzio (1249–1254). La legazione di Giovanni da Parma. Il ruolo di Federico II* (Rome, 1981), 138–39, 232. In the early 1270s unionists at the court of Michael VIII regarded the negotiations conducted between Nicaea and the papacy in the period 1250–54 as a model for the Union of Lyons (1274); see Pachymeres I.ii, 471. This circumstance may explain why the author of the *vita* of Arsenios chose to omit the embassy to Rome. After all, the Arsenites took an anti-unionist stance after 1274. There is every reason to trust the author of the *Synopsis Chronike*, who was a sympathizer of Arsenios and, if identical with Skoutariotes, was a unionist. Notably, Arsenios was presented as a unionist associate of Michael VIII in a pamphlet against the Union of Lyons. See below, n. 112. For the opposite view – that Arsenios did not travel to Rome and Skoutariotes made up this piece of information – see I. Sykoutres, *Hellenika*, 2 (1929), 270, and the support for Sykoutres' view by Nikolopoulos, "Life of Arsenios," 436.

and was still in Nicaea, the administrative center of the patriarchate.[63] When Arsenios arrived in Magnesia, he assumed the role of protector of the child-emperor John IV Laskaris (1258–61). In so doing, Arsenios followed a long-standing tradition which made the Byzantine patriarch the defender of the rights of an imperial heir during his minority.[64] In autumn 1258 Arsenios secured from Michael Palaiologos the swearing of a special oath or oaths, by which he promised to observe Laskaris' rights of succession.[65] However, Palaiologos soon began to act in open disregard of his sworn promises, and in 1260 Arsenios resigned in protest. His replacement, Patriarch Nikephoros of Ephesos (1260–61), died after a brief term in office. In summer 1261, shortly before the recapture of Constantinople from the Latins, Arsenios reluctantly agreed to resume the patriarchal post.

The conflict between Arsenios and Palaiologos flared up almost immediately after the celebrated reconquest of the capital. On learning of the blinding of John IV Laskaris on Christmas day 1261, Arsenios excommunicated Michael VIII and declined to lift the excommunication for more than two years, until in 1264 a high judicial tribunal, convened by the patriarch's foes and presided over by the emperor, decreed his deposition.[66] In that year Arsenios was exiled to the island of Prokonnesos in the Sea of Marmara, where he was to spend the remainder of his life until his death

[63] The patriarch wrote in his *Testament* that he had been in Nicaea while the deliberations in Magnesia and the election of Michael Palaiologos as regent took place. See PG, vol. 140, col. 949C. Pachymeres, I.i, 95–103, agrees that Arsenios was absent. However, Akropolites and the *Synopsis Chronike* mention that Arsenios was present at the election. See Akropolites I, 156–159; MB, vol. 7, 537.30–31.

[64] In the tenth century Patriarch Nicholas I Mystikos (901–07, 912–25) became the regent of the young Constantine VII Porphyrogennetos after the death of the emperor Alexander (912–13). In 1171 the patriarch Michael III (1170–78) and his synod promised by a special document that they would uphold the rights of Manuel I Komnenos' infant son, regardless of who the regent would be. See A. Pavlov, "Sinodal'nii akt Konstantinopol'skago patriarkha Mikhaila Ankhiala 1171 goda," VV, 2 (1895), 388–393. In the 1340s, during the Second Civil War, the patriarch John XIV Kalekas (1334–47), who was the regent of another underage emperor – John V Palaiologos – referred to the example of Arsenios. He allegedly told John VI Kantakouzenos that as patriarch-regent he was trying to accomplish what Arsenios had once failed to do, namely to protect the young emperor's rights to the succession. Yet, ironically, Kalekas employed the same inefficient method once used by Arsenios: having the pretender and the regency government swear oaths. See Gregoras II, 579, 759.

[65] In his *Testament* Arsenios refers to three different oaths which Michael Palaiologos had sworn as he was promoted to the posts of, respectively, regent, despot and co-emperor between September 1258 and 1 January 1259. See PG, vol. 140, cols. 449C–451A. *Synopsis Chronike*, MB, vol. 7, 550.4–5, speaks simply of "the breach of *many* terrible oaths," which was the reason for the resignation of Arsenios. On the other hand, Pachymeres (I.i, 135–137) reports a single binding oath sworn by the two co-emperors (Michael VIII and John IV Laskaris) and their subjects shortly before the imperial proclamation of Michael VIII on 1 January 1259. Akropolites, whose account is biased in favor of Michael VIII, does not mention the oaths at all.

[66] On these dates see Laurent, *Regestes*, 1362; V. Laurent, "La chronologie des patriarches de Constantinople au XIII^{e} siècle (1208–1309)," REB, 27 (1969), 142–43.

in 1273. Arsenios' deposition was illegal in the eyes of his zealous followers and supporters, the Arsenites, who severed their ties with the church and persuaded others to break away from the official ecclesiastical structure. The Arsenites were a mixed band of people: monks and priests, itinerant proselytizers, common folk (especially from Asia Minor), and even zealous members of the Palaiologan family. They considered Arsenios to be a holy and miracle-working man wrongfully treated by an unjust emperor. The Arsenites were particularly displeased to see that after orchestrating Arsenios' dismissal from the patriarchate, Michael VIII chose his personal confessor, the monk Joseph, as patriarch (1266–75, 1282–83), albeit Arsenios had excommunicated Joseph as well. The disagreement of the Arsenites with the church and its official representatives took on distinct political overtones, as they put in question the legitimacy of the Palaiologan dynasty born in sin and excommunication. Andronikos II, Michael VIII's son, tried to reach an accommodation with the Arsenites on several occasions. For example, in 1285 he allowed the Arsenites to bring Arsenios' relics to Constantinople and organized an elaborate ceremony of their solemn deposition in the church of Saint Sophia. Soon thereafter the learned *protovestiarissa* Theodora Raoulaina Kantakouzene Palaiologina, a cousin of Andronikos II and a devout Arsenite, received permission to move Arsenios' relics to the Constantinopolitan monastery of Saint Andrew *en Krisei*, where she resided.[67] Yet reconciliation was not easy to achieve, since the followers of Arsenios declined to recognize the legitimacy of the emperor. When the Arsenites took part in John Drimys' anti-Palaiologan plot (1305), Andronikos II did not hesitate to expel them from Constantinople in the middle of a cold winter. Five years later, in 1310, the Arsenites agreed to rejoin the church, after a schism that had lasted for forty-five years.

The Arsenite schism generated a flurry of polemical pieces. Two of the three extant Arsenite texts are of great importance. The first is the testament of Arsenios written shortly before his death in 1273.[68] The second is the saint's life of Arsenios, which an anonymous author (certainly an Arsenite) composed in Constantinople sometime after 1285.[69] The six anti-Arsenite

[67] Pachymeres II.iii, 95–99.

[68] PG, vol. 140, cols. 948–57. Migne's edition of Arsenios' *Testament* is a reprint from J.-B.Cotelier, *Ecclesiae graecae monumenta*, vol. 2 (Paris, 1681), 168–77, itself based on Paris, Bibl. Nat., Cod. gr. 1335, ff. 338 v.–339 v. The *Testament* of Arsenios is known to have served as a manifesto of the Arsenites in the early fourteenth century, although there were doubts as to its authenticity. See Pachymeres II.iv, 515.17–22.

[69] Nikolopoulos in "Life of Arsenios," 437, has shown on the basis of internal evidence that the text was written in Constantinople. The authorship of this saint's life is not clear, as the text is transmitted without any title. Paul Magdalino has assigned it to the mid-fourteenth century ecclesiastic Philotheos

tracts provide intriguing insights into some of the views and social behavior of their opponents. The earliest one is anonymous and dates most probably to the brief patriarchate of Germanos III (1265–66).[70] The second, the work of a certain monk Methodios, dates to the first patriarchate of Joseph I (1266–75).[71] In 1276 the monk Kallistos addressed another tract to Manuel Disypatos, ex-metropolitan of Thessaloniki and fervent Arsenite.[72] The purpose of this work (and probably also of Methodios') was to encourage the Arsenites to join the camp of Patriarch Joseph in a common front against the Union of Lyons that Michael VIII had imposed on the church. Another treatise came from the pen of the metropolitan of Ephesos John Cheilas and was connected with Andronikos II's efforts to bring about a reconciliation with the Arsenites in 1296.[73] The archbishop of Philadelphia Theoleptos wrote two tracts against the Arsenites between 1285 and 1310, addressing them to the flock of his metropolis.[74] A source of prime

of Selymbria on the basis of codicological context. See P. Magdalino, "Byzantine Churches in Selymbria," DOP, 32 (1978), 315, n. 47. On the other hand, Nikolopoulos, in "Life of Arsenios," 442–43, has backed an earlier hypothesis, for which there is no evidence, that Maximos Planoudes was its author. Nikolopoulos (441) proposed 1310 as a *terminus post quem* for its composition, since the official reconciliation with the Arsenites was celebrated on 10 September 1310. This dating of the text is by no means certain, for Andronikos II accepted the sainthood of Arsenios as early as 1285, when he arranged for the solemn transferral of the patriarch's relics from the island of Prokonnesos to Constantinople. The biography of Arsenios could therefore have been written any time after 1285. Another Arsenite text of lesser importance is the letter of the metropolitan of Pisidia Makarios to the Arsenite ex-archbishop of Thessaloniki Manuel Disypatos. It was published by S. Eustratiades, "Ὁ πατριάρχης Ἀρσένιος," *Hellenika*, 1 (1928), 89–94.

70 H. Hody, *Anglicani novi schismatis redargutio, seu, Tractatus ex historiis ecclesiasticis, quo ostenditur episcopos, injuste licet depositos, orthodoxi successoris communionem nunquam refugisse* (Oxford, 1691). Hody considered the treatise to be relevant to the conflict between Catholics and Anglicans, and also published an English translation: H. Hody, *The Unreasonableness of a Separation from the New Bishops, or, A Treatise out of Ecclesiastical History* (London, 1691). Hody attributed the treatise to Nikephoros Kallistos Xanthopoulos, the owner of Cod. Barocci gr. 142, where the treatise occupies folios 270–76. This hypothesis is unfounded, as J. Darrouzès, *Documents inédits d'ecclésiologie byzantine (X^e–XIII^e s.)* (Paris, 1966), 95–96, has shown. Since the treatise follows in the manuscript immediately after the official act of the transferral of Patriarch Germanos III (1265–66) from the see of Adrianople to the patriarchate (ff. 266 r.–268 r.; published by I. Sykoutres, EEBS, 9 (1932), 178–211) and a list of historical examples of the legitimacy of transfers (ff. 268 v.–269 v.; published by P. Gautier, REB, 42 (1984), 147–89), it appears most probable that the anti-Arsenite tract dates to the very beginning of the schism – the period of the brief patriarchate of Germanos III. In other words, the treatise must have had as its purpose convincing the opponents of the new patriarch Germanos III of the legitimacy of his election. See the description of the manuscript in H. Coxe, *Catalogi codicum manuscriptorum Bibliothecae Bodleianae, pars prima* (Oxford, 1853), cols. 242–45.

71 PG, vol. 140, cols. 781–805. See ibid., col. 804C, for a reference to Patriarch Joseph.

72 J. Sykoutres, "Περὶ τὸ σχίσμα τῶν Ἀρσενιατῶν," *Hellenika*, vol. 3 (1930), 17–26. On its dating see ibid., 33–34. Sykoutres identified the monk Kallistos with the future ecclesiastical historian Nikephoros Kallistos Xanthopoulos, and Laurent concurred with Sykoutres (in EO, 29 (1930), 497–99). This view was challenged by Darrouzès, *Documents inédits*, 97.

73 Darrouzès, *Documents inédits*, 348–413.

74 R. Sinkewicz, "A Critical Edition of the Anti-Arsenite Discourses of Theoleptos of Philadelphia," *Mediaeval Studies*, 50 (1988), 46–95. On the date of the treatises, ibid., 50.

importance on the Arsenite schism is the *History* of George Pachymeres. Pachymeres described in great detail the unfolding conflict between Arsenios and Michael VIII, was an eye-witness to many of the reported events, and gives crucial information unattested by any other source.

Unlike Arsenios and the Arsenites, Patriarch Athanasios I (1289–93, 1303–09) was never a dissident. From his position as head of the Byzantine church he embarked on a policy of reordering and reforming society through what he saw as the restoration of justice. In June 1303 Athanasios, an old monk resident in the Constantinopolitan monastery of Xerolophos, agreed to take the patriarchal throne for the second time having resigned once due to disagreements with members of the patriarchal clergy. In 1303 the empire faced a severe military and social crisis: the Catalan campaign turned out to be a fiasco, Asia Minor was lost, and refugees lacking the basic necessities of life swamped Constantinople. Athanasios had an ambitious program: a reform of monasticism and the church, the strict enforcement of canons and laws, constant public litanies which were to propitiate God into offering a helping hand to the empire, the organization of a social support network for refugees, and the protection of the poor and underprivileged, not least through advocating control over the soaring price of grain.[75] He had no real power to fulfill all of his ambitious plans, for which he needed the cooperation of the imperial authorities. Eventually he bowed again to the opposition of the synod and of patriarchal officials, including the *protekdikos* and historian Pachymeres. However, the patriarch had his triumphs. In October 1304 he drafted an imperial novel addressing various subjects, ranging from the behavior of monks to sexual mores to purely secular issues such as inheritance and the opening hours of baths and taverns.[76]

Patriarch Athanasios' voluminous correspondence is the main source of his ideas and a window into conditions in the empire in the years 1303–09. The overwhelming bulk of his letters were addressed to Andronikos II. In them Athanasios begged, urged, and demanded that the emperor follow his counsels and implement reforms. Athanasios' letters lack rhetorical elegance and coherence in presenting his political ideas, although they occasionally provide illuminating insights into his ecclesiological thinking. Two seminal texts, beyond his letters, reveal a great deal about his political

75 The reforms of Athanasios have been discussed by A.-M. Talbot, "The Patriarch Athanasius (1289–1293; 1303–1309) and the Church," DOP, 27 (1973), 11–28; J. Boojamra, *Church Reform in the Late Byzantine Empire. A Study in the Patriarchate of Athanasios of Constantinople* (Thessaloniki, 1982). On the conflict between Athanasios and Andronikos II on a particular issue, see A. Laiou, "The Provisioning of Constantinople during the Winter 1306–1307," B, 37 (1967), 91–113.

76 See chapter 9, n. 50.

and social thinking. The first is the official promissory document which he drafted on his reappointment to the patriarchate in June 1303 and which obligated Andronikos II to back his reforms.[77] The second is the *Instructive Sermon* which Athanasios addressed to Andronikos II between 1306 and 1309.[78]

In order to trace the long-term impact of the hierocratic theory formulated during the thirteenth and the early fourteenth centuries, we shall look selectively at church authors of the later Palaiologan period. Two ecclesiastics of the fifteenth century represent the crowning achievement of late Byzantine hierocratic thought. Makarios, the metropolitan of Ankara, was the author of a lengthy canonical treatise attacking the involvement of the emperor in ecclesiastical administration. It is tempting to view Makarios of Ankara as a champion of church interests in the face of secular authority, although we need to be cautious. Makarios took contrary positions on the rights of the emperor in the church at different stages of his life. In a tract attacking the errors of the Latins which he began to write (or fully completed) as he accompanied the emperor Manuel II Palaiologos on his journeys in the West (1400–03), Makarios made a forceful exposition of traditional ideas of imperial priesthood. Here he insisted that the Byzantine emperor was entitled to preside over a unionist church council which would put an end to the Schism.[79] On his return from the West, Makarios of Ankara became involved in a bitter controversy over the legitimacy of the election of Patriarch Matthew I (1397–1410). The

77 V. Laurent, "Le serment de l'empereur Andronic II Paléologue au patriarche Athanase I^er^, lors de sa seconde accession au trône oecuménique (Sept. 1303)," REB, 23 (1965), 124–39 (text on 135–38). There is no doubt that the letter was drafted by the patriarch. We find in it ideas also present in Athanasios' letters, such as, for example, that of the liberty of the church. In addition, the document has been transmitted together with Athanasios' letters and sermons in Vat. gr. 2219. Unfortunately, we do not know whether the emperor ever signed this promise. Although Laurent dated the promissory document to September 1303, a more likely date is June 1303, when Athanasios acceded to the patriarchate. See Laurent, "La chronologie des patriarches de Constantinople au XIII^e^ siècle," 148–49. Cf. *Correspondence of Athanasius*, xxii–xxiii.

78 The sermon has been transmitted in the principal manuscript of Athanasios' letters and sermons, Vat. gr. 2219, ff. 62 r.–66 v. It has been published with a number of errors by Gennadios of Helioupolis, "Ἐπιστολιμαῖα διδασκαλία τοῦ οἰκουμενικοῦ Πατριάρχου Ἀθανασίου Α' πρὸς τὸν αὐτοκράτορα Ἀνδρόνικον Β'," *Orthodoxia*, 27 (1952), 173–79. Laurent, *Regestes*, 1716, listed the sermon as unpublished and did not assign any date to it, as also did Alice-Mary Talbot (*Correspondence of Athanasius*, XXXIV), to whom I owe the information about the edition by Gennadios of Helioupolis in a rare journal. Since Athanasios speaks in the sermon about officials who raise the price of grain (178.19), the sermon is to be dated to during or after the grain crisis of winter 1306–07. See the letters of Athanasios on this subject, *Correspondence of Athanasius*, nos. 72–74, 178–86.

79 The treatise was published by Dositheos, patriarch of Jerusalem, *Tomos katallages* (Iasi, 1692), 1–205. See V. Laurent, "Le trisépiscopat du patriarche Matthieu I^er^ (1397–1410). Un grand procès canonique à Byzance au début du XV^e^ siècle," REB, 30 (1972), 15–19 and L. Petit, "Macaire d'Ancyre," *Dictionnaire de théologie catholique*, vol. 9, part 2 (Paris, 1927), cols. 1441–43.

opponents of the patriarch (including Makarios) accused him of having been elected in uncanonical fashion, for this was the third episcopal see that he occupied. Among other issues, the controversy touched also upon the emperor's support of the patriarch, and this prompted Makarios to write the canonical tract against imperial involvement in church affairs.[80] In addition, Makarios of Ankara authored a description and commentary on the ceremony of investiture of the Byzantine patriarch, where again he displayed his hostility to imperial authority.[81] Makarios did not succeed, however, in having Patriarch Matthew convicted for breach of the canons. In 1405 he himself was deposed from the see of Ankara and in 1409 was excommunicated.

Much more consistent in his anti-imperial views was Symeon of Thessaloniki (d. 1429), the author of an epitome of orthodox faith and practice entitled *Dialogue in Christ*, which deals with a range of subjects such as church rites, heresies, and the theology of prayer. This work was extremely popular and enjoyed wide readership. Unlike Makarios' canonical treatise attacking imperial rights which survives in a single manuscript, Symeon of Thessaloniki's *Dialogue in Christ* was copied numerous times and was translated into the vernacular tongues of the orthodox East.[82] Of particular interest to us are the books *On the Sacred Temple* and *On Ordinations*, where Symeon gave a detailed account of Byzantine ecclesiastical usage and court ceremonial.[83] Symeon not only described ritual, but also interpreted its meaning, frequently carrying out a bitter polemic with anonymous opponents and rival interpretations. There was no apparent personal reason why Symeon should have became involved in such a polemic. Born in Constantinople, Symeon was a Hesychast monk resident

80 The treatise which is found in Paris, Bibl. Nat., Cod. gr. 1379, is entitled: "A partial exposition that the emperor should abide by and observe the canonical ordinances, and should respect and defend the canons, something which he also promises at his anointing, and that he neither rules nor exercises authority over canonical and priestly matters, but does so only over political matters. And about other such chapters" (Ἐκλογὴ μερικὴ περὶ τοῦ, ὅτι ὀφείλει ὁ βασιλεὺς στοιχεῖν καὶ ἐμμένειν τοῖς κανονικοῖς ὁρισθεῖσι, στέργειν τε καὶ δεφενδεύειν τοὺς κανόνας, ὃ καὶ ὑπισχνεῖται χριόμενος, καὶ ὡς οὐκ ἐξάρχει ἢ ἐξουσιάζει τῶν κανονικῶν καὶ ἱερατικῶν, μόνων δὲ τῶν πολιτικῶν, ἀλλ' οὐδὲ ἐφεῖται αὐτῷ παραλύειν κατάστασίν τινα ἐκκλησιαστικήν· καὶ περὶ ἄλλων τοιούτων κεφαλαίων). A summary of the treatise's content may be found in Laurent, "Le trisépiscopat," 25–27, 89–96.

81 This short description was published by V. Laurent, "Le rituel de l'investiture du patriarche byzantin au début du XV^e^ siècle," BSHAR, vol. 28 (1947), 231–32.

82 I. Phountoules, *Τὸ λειτουργικὸν ἔργον Συμεὼν τοῦ Θεσσαλονίκης* (Thessaloniki, 1966), 17–19, lists more than 110 manuscripts (mostly on Mount Athos). No modern study of Symeon's ecclesiological ideas exists.

83 *De Sacro Templo* (Περὶ τοῦ ἁγίου ναοῦ), PG, vol. 155, cols. 305–61; *De Sacris Ordinationibus* (Περὶ τῶν ἱερῶν χειροτονιῶν), ibid., cols. 361–469.

in the imperial capital until in 1416 or 1417 he became the archbishop of Thessaloniki.[84] He led the church of the second city of the empire in a critical period of its history, when it was completely surrounded by the Turkish armies. Symeon unsuccessfully opposed the transfer of the city's defenses to Venice in 1423. He did not live long enough to see the fall of Thessaloniki in 1430.

THE RADICAL HIEROCRATS: PATRIARCH ARSENIOS AND THE ARSENITE SCHISM

The Donation of Constantine and Patriarch Arsenios

The Arsenite schism led to the emergence in ecclesiastical circles of radical hierocratic ideas. During his conflict with Michael VIII, Arsenios challenged the political authority of the emperor. The patriarch contended, for example, that he had "appointed" Michael VIII to the imperial office.[85] Michael Palaiologos himself feared that the patriarch would demand that he abdicate as an atonement for his crimes.[86] An uncompromising man of iron disposition, Arsenios did not shun public confrontation with the emperor. The patriarch was already prepared to ban Michael VIII from the church in autumn 1261 after the recapture of Constantinople, when it came to his knowledge that Michael was considering divorcing his wife and marrying Vatatzes' widow, Anna-Constance of Hohenstaufen.[87] After excommunicating the sinful emperor at the beginning of 1262, the patriarch scolded him publicly in the church of Saint Sophia for having waged war on his fellow Christians of Epiros.[88] In the meantime Michael VIII threatened that he would seek forgiveness from the pope and blamed Arsenios for obstructing imperial government.[89] Whether Arsenios intended in fact to dethrone Michael VIII or envisaged a more lenient penitential sanction for the emperor, is not exactly known. In his *Testament* Arsenios wrote that the price he had set for lifting the excommunication fell short of the emperor's

[84] On Symeon's biography, see D. Balfour, "Saint Symeon of Thessalonike as a Historical Personality," *Greek Orthodox Theological Review*, 28 (1983), 55–72; Balfour, *Ὁ ἅγιος Συμεὼν ἀρχιεπίσκοπος Θεσσαλονίκης (1416/17–1429). Ἔργα θεολογικά* (Thessaloniki, 1981), 29–76. Symeon was canonized by the Orthodox church on 3 May 1981.

[85] Pachymeres I.ii, 373.21: αὐτὸν μὲν ἐγώ, ἰδιώτην ὄντα, τῆς βασιλείας ἐπέβησα. Pachymeres reports that he heard these words from the exiled Arsenios himself when visiting him in 1265 on the island of Prokonnesos in the capacity of Michael VIII's special envoy.

[86] Pachymeres I.i, 281–83; I.ii, 331.8–9.

[87] Pachymeres I.i, 247–49. Laurent, *Regestes*, 1363, dates this episode to 1262, although in fact it should predate the excommunication of Michael VIII.

[88] Pachymeres I.i, 313–15.

[89] Ibid., 283.12–22.

abdication, but was nevertheless a political one: the lowering of taxes and commercial duties (*kommerkion*), as well as the eradication of injustice in the empire.[90] This itself was an unprecedented act of involvement by the patriarch in matters of secular imperial administration. Yet the possibility of Michael VIII being deprived of the imperial office appears to have been in the air in the years 1262–64 – not only because of Michael VIII's reported fears. Some of Arsenios' contemporaries were convinced that the patriarch wished to see the emperor resign. According to a speech by Andronikos II in 1304 reported by Pachymeres, Arsenios had wanted both emperor and patriarch to step down from their offices, while recognizing Andronikos as the legitimate heir.[91]

The regal behavior of the patriarch in those years becomes more understandable when we take into consideration the fact that before being elevated to the throne Palaiologos had expressed his position of willing subordination to Arsenios. Pachymeres informs us that on his first arrival in Magnesia in autumn 1258, Arsenios favored the appointment of Palaiologos as regent and even possibly as co-emperor. To curry favor with the patriarch Palaiologos declared obedience to the church, which he professed to be his true mother.[92] Most significantly, when Arsenios arrived in Magnesia for the first time after the death of Theodore II Laskaris, Michael Palaiologos came on foot to meet him, seized the reins of his mule, and led Arsenios into the imperial residence.[93] The account of Pachymeres leaves no doubt that Palaiologos voluntarily chose to perform the ceremonial act – the earliest known case in Byzantium of ritual groom service rendered to the patriarch of Constantinople, a ceremony which reenacted Constantine's act of submission to Pope Sylvester described in the Donation.

The performance of the ritual in 1258 suggests that the twelfth-century discussions on the internal political implications of the Donation of Constantine had continued after 1204. We shall begin our analysis with what is known about the circulation of the text in the later period and shall then move on to the actual uses to which it was put. The late Byzantine period saw the preparation of a new, succinct version of the document – based on the one found in Balsamon's canonical commentaries and also consisting solely of the *donatio* – which was specially designed for inclusion in law collections. We find the abbreviated version of the Donation in Matthew Blasteres' *Syntagma*, a collection of canon and secular law, issued in 1335. In

[90] Arsenios, *Testament*, PG, vol. 140, col. 956A.

[91] Pachymeres II.iv, 509–21, esp. 517. This story seems to reflect Andronikos' efforts to defend his own legitimacy.

[92] Pachymeres I.i, 131.26–133.2.

[93] Ibid., 103.18–23.

addition, many manuscripts of Constantine Harmenopoulos' *Hexabiblos* transmit as an appendix the abbreviated version of the Donation.[94] The incorporation of the document into collections of secular law itself represents tacit recognition of the constitutional importance for Byzantium of the privileges granted to the church by the first Christian emperor.

In addition to canonists, Byzantine converts to Catholic Christianity strove to make their compatriots familiar with the document, for it could be interpreted as evidence of papal primacy over the eastern churches. In the second half of the fourteenth century Demetrios Kydones, a staunch supporter of the Union, translated from Latin into Greek the full text of the Donation (both the *confessio* and the *donatio*).[95] During the deliberations of the council of Ferrara-Florence in June 1439, another Greek translation of the Donation (solely of the *donatio* and based on Pope Leo IX's *libellus* of 1053) was in the possession of Andreas Chrysoberges – a Catholic Greek from Pera and archbishop of Rhodes at the time.[96] One important circumstance becomes immediately clear from the wide circulation of the Donation after 1204. Late Byzantine ecclesiastics continued to consider the Donation to be a genuine and legally valid piece of imperial legislation – with one truly remarkable exception. In his anti-Latin treatise composed, or at least begun, between 1400 and 1403 Makarios of Ankara argued that the emperor Constantine could not possibly have been the author of the Donation. He adduced historical and canonical considerations aimed at proving that the document was spurious.[97] It is for this reason that Makarios shunned making use of the Donation when, later in life and forced by political circumstances, he assumed a hierocratic viewpoint and opposed imperial authority over the church. One has to observe, however, that this

[94] Matthew Blastares, *Syntagma*, in Rhalles-Potles, vol. 6, 260–62; G. Heimbach, *Manuale Legum sive Hexabiblos* (Leipzig, 1851), vi–xv (on the manuscripts), 820–22 (the text of the Donation itself).

[95] The full Greek translation has been published by A. Pavlov, "Podlozhnaia darstvennaia gramota," 59–80. For its attribution to Kydones, see G. Mercati, *Notizie di Procoro e Demetrio Cidone, Manuele Caleca e Teodoro Meliteniota, ed altri appunti per la storia della teologia e della letteratura bizantina del secolo XIV* (Vatican City, 1931), 162–65.

[96] Curiously, Chrysoberges produced a reverse Latin translation at the council. See H. Boese, "Die Konstantinische Schenkung in den Verhandlungen des Florentiner Konzils," *Deutsches Archiv*, 21 (1965), 576–92; Krause, "Das Constitutum Constantini," 149–51. On Andreas Chrysoberges, see PLP, no. 31106.

[97] On Makarios of Ankara's refutation, see Dositheos, *Tomos katallages* (Iasi, 1692), 8–10. Pavlov, "Podlozhnaia darstvennaia gramota," 36–38, had already noticed in 1895 this curious case of attack on the authenticity of the Donation, several decades before Lorenzo Valla in Italy, and Reginald Pecock in England would embark on a similar attack. See J. Levine, "Reginald Pecock and Lorenzo Valla on the Donation of Constantine," *Studies in the Renaissance*, 20 (1973), 118–43. No direct influence is apparent, and it is noteworthy that the suspicion of forgery had occasionally been raised in the West since the time of Otto III. See Laehr, *Die Konstantinische Schenkung*, 22; Zinkeisen, "The Donation of Constantine," 626–27, 629–30.

attack by Makarios of Ankara on the authenticity of the Donation was not representative of the common opinion of Byzantine ecclesiastics, who nearly universally accepted its genuineness and legal validity.

The Byzantine uses of the Donation after 1204 were, in contrast to the twelfth century, mostly outside the pages of canonical writings. Rather, the Donation acquired relevance to imperial ceremonies. As far as we can judge, the Byzantine attitude to the groom service accorded to the pope (*officium stratoris*) had been dismissive during the twelfth century. The historian Kinnamos, the official historiographer of Manuel I Komnenos, ridiculed the way in which Frederick I Barbarossa (1152–90) demeaned himself in acting as the pope's squire. For Kinnamos this was a preposterous ritual which demonstrated that both the pope and the Western emperor had falsified their titles.[98] However, by 1258 attitudes to the ritual had changed. What was the reason for this remarkable volte-face? The mere knowledge of the Donation was not a sufficient reason for the adoption of this foreign ritual. The cause of receptivity has to be sought in the intensified ecclesiastical contacts between Latins and Byzantines after 1204 that made Orthodox clerics increasingly aware of papal ritual based on the Donation.

In the wake of the conquest of Constantinople, the Donation of Constantine figured prominently in ecclesiastical negotiations and polemics between Byzantines and Latins on the subject of papal primacy. After 1204, Latin ecclesiastics resident in or traveling to Constantinople realized that the Donation enjoyed special credibility in the Greek East as a legal document commented upon by Byzantine canonists, and took to exploiting its polemical potential. The textual history of the Donation in Latin anti-Orthodox polemics after 1204 is an interesting story in itself and deserves a brief digression from our discussion of the domestic Byzantine usage of the document. In 1205–07 the Roman cardinal and papal legate Benedict of Sancta Susanna visited Constantinople as envoy of Pope Innocent III in order to conduct negotiations with representatives of the Greek church, who had declined to mention the pope's name in the liturgy. In the course of his mission Benedict of Sancta Susanna appears to have become acquainted with the Greek version of the Donation that was cited in Balsamon's canonical commentaries. The cardinal commissioned his interpreter, Nicholas of Otranto, to make a copy of the Greek text of the Donation, which the latter executed in December 1206 in the Great Palace of

[98] *Ioannis Cinnami epitome rerum ab Ioanne et Alexio Comnenis gestarum*, ed. A. Meineke, CSHB (Bonn, 1836), 219–20. Kinnamos referred to Frederick I Barbarossa and Pope Alexander III (1159–81).

Constantinople.[99] Subsequently, again in Latin Constantinople, the Greek rendering of the Donation (Balsamon's version) was translated back into Latin. An anonymous Dominican friar resident in Constantinople incorporated portions of this reverse Latin translation into the polemical treatise *Contra Graecos*, which he composed in 1252.[100] In the late thirteenth century the Dominican friar Buonaccorsi of Bologna, who spent most of his life in the Greek East, included a portion of the bilingual version of the Donation (Balsamon's Greek text and the reverse Latin translation) into his monumental anti-Greek florilegium, the *Thesaurus veritatis fidei*.[101] In the fourteenth century pro-papal polemicists continued to refer to the Donation as evidence of papal primacy. Their use of the Donation understandably provoked a response from Greek Orthodox authors, who had already developed their own line of polemical and anti-papal interpretation of the document during the twelfth century. According to them, the Donation served to show the supreme authority of the Byzantine imperial office which had been the source of empowerment of the papacy; in addition the Donation supported and reinforced the traditional Byzantine notion of *translatio imperii* (that is, Constantine's transferral of the seat of empire from Rome to Constantinople).[102]

The chief use to which the Latins put the Donation in anti-Greek polemics after 1204 was the assertion of papal primacy. Accordingly, the legend evolved among Latin polemicists that Constantine the Great had promulgated the Donation both in Latin and in Greek.[103] The Donation also served another purpose particularly relevant to the political environment of the newly constituted Latin empire of Constantinople: that of backing the authority of the papal legates dispatched on official missions to

[99] This copy survives together with the scribe's note. See J. Hoeck and R.-J. Loenertz, *Nikolaos-Nektarios von Otranto, Abt von Casole* (Ettal, 1965), 53–54.

[100] PG, vol. 140, cols. 536B–537A. Cf. R.-J. Loenertz, "Autour du traité de fr. Barthélemy de Constantinople contre les Grecs," *Archivum Fratrum Praedicatorum*, 6 (1936), 366–68; A. Dondaine, "'Contra Graecos', premiers écrits polémiques des Dominicains d'Orient," *Archivum Fratrum Praedicatorum*, 21 (1951), 351.

[101] This portion of the yet unpublished florilegium by Buonaccorsi has been edited critically by F. Reusch, *Die Fälschungen in dem Traktat des Thomas von Aquin gegen die Griechen* (Munich, 1889), 702–04. On Buonaccorsi, see Dondaine, "'Contra Graecos', premiers écrits," 406–08.

[102] For an example of the Latin pro-papal argument, see Manuel Kalekas, *Adversus Graecos*, PG, vol. 152, cols. 243C–244A. For the Greek response, see T. Kolbaba, "Barlaam the Calabrian: Three Treatises on Papal Primacy, Introduction, Edition, and Translation," REB, 53 (1995), 85 and also below, n. 106. Cf. the twelfth-century Byzantine reactions to the Donation discussed by P. Alexander, "The Donation of Constantine at Byzantium and its Earliest Use against the Western Empire," ZRVI, 8 (1963), 11–26; J. Spiteris, *La critica bizantina del primato romano nel secolo XII* (Rome, 1979), 119–20, 125, 191–93.

[103] *Contra Graecos*, in PG, vol. 140, cols. 536A; Buonaccorsi, *Thesaurus veritatis fidei*, in Reusch, *Die Fälschungen*, 704.

New Rome. After 1204, cardinals serving as papal legates to Constantinople held a higher authority than the Latin patriarch of Constantinople. For example, it was not the Latin patriarch of Constantinople but the papal legate who was exclusively entitled to excommunicate the Latin emperor should this be necessary.[104] In this setting the Donation of Constantine was invoked in support of the power of the papal legates in the Latin empire. In 1214 Cardinal Pelagius of Albano received in the church of Saint Sophia a Nicaean ecclesiastical delegation headed by Nicholas Mesarites, the metropolitan of Ephesos and exarch of Asia. In his written account of the embassy, Mesarites expressed his dismay at what he considered to be a breach of diplomatic protocol. The Roman cardinal did not stand up to meet the exarch of Asia, despite being the bishop of the insignificant see of Alba, but remained sitting on a luxurious throne and wore imperial insignia, such as red shoes and a red cloak. The reins and saddle of the cardinal's horse featured, too, the imperial red. Pelagius is said to have dismissed Mesarites' remonstration by saying that the Donation of Constantine gave the pope (and therefore his representatives, the cardinals) the right to wear imperial insignia.[105] Later on in the same year a Latin two-man delegation accompanied Mesarites to Herakleia Pontike in Paphlagonia, where they had an audience with the Nicaean emperor Theodore I Laskaris. In the new disputation that took place Mesarites twisted the logic of the Donation as a source of papal primacy and argued (in accordance with a Byzantine polemical line of interpretation already attested in the twelfth century) that the document demonstrated that the authority of the popes originated from the imperial office; it was by virtue of Constantine's generosity, not through direct succession from Saint Peter, that the popes had received the special honor of their see. For it was by the emperor Constantine that the Donation was issued, and the popes had acquired their exalted status from the fact that Rome had been capital of the empire.[106] When Constantine moved from Rome to Constantinople, he transferred all the insignia of the imperial office to the new city founded by him.

[104] J. Gill, *Byzantium and the Papacy, 1198–1400* (New Brunswick, 1979), 76–77. On the exclusive right of the papal legate to excommunicate the Latin emperor, see L. Santifaller, *Beiträge zur Geschichte des lateinischen Patriarchats von Konstantinopel (1204–1261) und der venezianischen Urkunde* (Weimar, 1938), 196 (letter of pope Honorius III to Emperor Robert of Courtenay dated 27 September 1222).

[105] Heisenberg, *Neue Quellen*, III, 22. Akropolites I, 29, complements the information about the cardinal's horse. See Gill, *Byzantium and the Papacy*, 39–42; R. L. Wolff, "Politics in the Latin Patriarchate of Constantinople," DOP, 8 (1954), 252–53.

[106] Heisenberg, *Neue Quellen*, III, 34–35. Mesarites' argument derives from the twelfth-century *Sacred Arsenal* of Andronikos Kamateros. See G. Spiteris, "I dialoghi di Nicolas Mesarites coi Latini: opera storica o finzione letteraria," OCA, 204 (1977), 181–86.

A Latin pro-papal response to this Byzantine argument was not slow to appear. In the treatise *Contra Graecos* composed in Latin-held Constantinople in 1252 we find a curious digression about the ceremonial groom service, which the Byzantine emperors were said to have performed before the schism on behalf of visiting papal legates.

> Before the schism the apostolic see [of Rome] was held in the highest regard, because envoys sent thence to Constantinople were received with honor and praise. That is why the emperor [i.e., the Byzantine emperor] himself dismounted from his horse and led on foot the legates' horse until a palace which is called "the Cardinals' Palace," thus imitating Constantius I [*sic*], the ruler of the Christians, who decided to render so great an honor to the blessed Sylvester, as it is manifestly shown in the mentioned privilege.[107]

The story was clearly an invention, although a politically tendentious one. No palace of the cardinals is known to have existed in Byzantine Constantinople, nor did Byzantine emperors ever show their submission to papal envoys by performing a squire service. The display of homage to the papal legate did, however, seem plausible in the eyes of Westerners living in Latin Constantinople. After all, the papal legates to Latin Constantinople wore imperial insignia, explained their right to do so on the basis of the Donation of Constantine, and may have well been honored with squire service by the Latin emperor.

The popularization of the Donation of Constantine in Nicaea through ecclesiastical contacts with the Western church appears to have instilled new appreciation of the document and of the ritual squire service. Both Palaiologos and Arsenios had the opportunity to observe firsthand the customs of the Latins before their encounter in Magnesia in 1258. Palaiologos still held the office of grand constable (*megas konostaulos*), that is, commander of the contingent of Latin mercenaries in imperial service. Patriarch Arsenios had participated in a Nicaean embassy to Rome in the early 1250s, which discussed the Union with Pope Innocent IV (1243–54). At that time the Nicaean ecclesiastical delegation was ready to restore the unity of the church by recognizing papal primacy in exchange for the restitution of

[107] PG 140, cols. 537D–538A: *Imo in cuncta reverentia habita est ante schisma sedes apostolica, quod legati missi ab ea Constantinopolim summo cum honore et laudibus reciperentur. Inde est, ut ipse imperator de equo proprio resiliens, equum legatorum pedester traheret usque ad palatium quod Cardinalium vocabatur, imitando scilicet Constantium I, Christianorum principem, qui beato Sylvestro talem reverentiam dignoscitur fecisse, prout in praefato privilegio coninetur manifeste.* This treatise was influential in the West and circulated among friars resident in Constantinople as well, as a Dominican monk in Pera copied the treatise in 1304. See Dondaine, "'Contra Graecos', premiers écrits,", 387 ff.

Constantinople.[108] The time of Arsenios' visit to Rome coincided with dramatic events in the struggle between the papacy and the Hohenstaufens over political hegemony in Italy. At the first Union of Lyons in 1245 Pope Innocent IV had taken the extreme measure of deposing Frederick II from the imperial office. Innocent IV, who received Arsenios and his fellow Nicaean diplomats, was a lawyer-pope and one of the most systematic proponents of the hierocratic papal doctrine. Like his predecessors Innocent III and Gregory IX, Pope Innocent IV made use of the Donation in the ideological struggle with the western emperor.[109] During his pontificate scenes from the Donation of Constantine, including that of *officium stratoris*, were depicted in the church of Ss. Quattro Coronati in Rome, which was dedicated in 1246 as a visual statement of papal propaganda.[110] Arsenios hardly needed proof of the all-out hostilities between pope and emperor; when the large Byzantine delegation sent in 1250 disembarked in Apulia in the autumn of that year, the agents of Frederick II – and after Frederick's death on 13 December 1250, those of his son Manfred – detained all the envoys for about a year before letting them proceed to Perugia and meet the pope. For Frederick II was displeased with the fact that his son-in-law and trusted ally, the emperor of Nicaea John III Vatatzes, had entered into negotiation with his political enemy.[111]

While papal ritual and papal pretensions based on the Donation were well known among Byzantine ecclesiastics during the thirteenth century, the concrete political circumstances in Nicaea after the death of Theodore II Laskaris created an appropriate occasion for the performance of ritual groom service in Magnesia in 1258. Palaiologos wished to ingratiate himself before Arsenios and to attract a crucial supporter for his coup, although, ironically, he thus acknowledged the authority of his future enemy. The encounter between Palaiologos and Arsenios in Magnesia in 1258 was to remain a unique case: it is the only *firmly* attested instance of ritual squire service in Byzantium, and did not lead to the permanent introduction of Donation-based ceremonial into the Palaiologan court. In the second half

[108] The proposals of the Greek delegation have been discussed by Gill, *Byzantium and the Papacy*, 92–96.

[109] See Innocent IV's encyclical letter *Eger Cui Levia*, in E. Wikelmann, *Acta imperii inedita saeculi XIII et XIV*, vol. 2 (Innsbruck, 1885), 696–98, translated in part in B. Tierney, *The Crisis of Church and State 1050–1300* (Englewood Cliffs, 1964, repr. Toronto, 1988), 147–49. Cf. Maffei, *Donazione di Costantino*, 46–49, 76–81.

[110] J. Mitchell, "St. Silvester and Constantine at the Ss. Quattro Coronati" in *Federico II e l'arte del Duecento italiano*, ed. A. Romanini, vol. 2 (Galatina, 1980), 15–32.

[111] Franchi, *La svolta politico-ecclesiastica*, 180–90; Gill, *Byzantium and the Papacy*, 90.

of the thirteenth century, shortly after conclusion of the Union of Lyons in 1274, an anti-Latin pamphlet attributed to a certain Panagiotes describes the ritual squire service as a foreign, Latin rite. It ridicules the unionist emperor Michael VIII, who is said to have held the reins of a mule carrying an image of Pope Gregory X (1271–76), as he began for the first time to consider a rapprochement with the papacy.[112] Interestingly, the Greek polemicist mentions this episode as having occurred during the patriarchate of Arsenios and thus makes Arsenios Latin-minded, despite the chronological problems – Arsenios was deposed in 1264, seven years before Pope Gregory X was invested in 1271. In the mid-fourteenth century the ceremonial book of Pseudo-Kodinos is silent about any ritual squire service performed by the emperor. At about the same time, the emperor John VI Kantakouzenos dismissed the relevance and application of ceremonial in Byzantium based on the Donation. The historian-emperor expressed his surprise at seeing the Serbian king Stephan IV Dušan performing groom service to the Serbian archbishop Ioannikios. It appears that the *officium stratoris* had made its way to medieval Serbia, and Kantakouzenos considered this to be a foreign custom which the Byzantines did not recognize.[113] His refusal to accept the groom service seems to represent the official imperial perspective on the ceremonial usage of the Donation.

Yet strong-minded ecclesiastics did not forget the episode of 1258 and saw in the submission of Constantine to Sylvester exemplified by his squire service a true political model for the relationship between the emperor and the patriarch. Patriarch Athanasios looked up to Pope Sylvester as a model worth emulating. In his letter of resignation (1309) he claimed to have been the most privileged churchman in Byzantium since the time of Constantine and Sylvester.[114] In the early fifteenth century Symeon of Thessaloniki used the Donation in his commentary on ecclesiastical ritual.

[112] A. Vassiliev, *Anecdota Graeco-Byzantina, pars prima* (Moscow, 1893), 179. See D. Geanakoplos, "A Greek *Libellus* against Religious Union with Rome after the Council of Lyons (1274)," *Interaction of the "Sibling" Byzantine and Western Cultures in the Middle Ages and Italian Renaissance (330–1600)* (New Haven, 1976), 156–70.

[113] Kantakouzenos II, 274. The episode occurred during the encounter and negotiations between Kantakouzenos and Stephan Dušan at Tao, near Pristina, in 1342. The Serbian king met the arriving archbishop of Serbia Ioannikios on foot, held the reigns of his horse and led him to the house where Kantakouzenos was waiting. In the meantime John Kantakouzenos stood inside the house according to "the Byzantine custom": κατὰ τὸ Ῥωμαίων βασιλέων ἔθος ἠπήντα τε ἔνδον τοῦ οἰκήματος. According to Ostrogorsky, "Zum Stratordienst des Herrschers," 203–04, this ceremony was introduced into the Serbian court after the *Syntagma* of Matthew Blastares published in 1335 became known in Serbia.

[114] *Correspondence of Athanasius*, no. 112, 286.

In his description of the election of the patriarch Symeon reported an electoral procedure in no way different from the traditional.[115] The emperor selects the patriarch from among three candidates proposed by the synod and invests him with the bishop's staff. After the election a festive procession follows – a procession which Symeon reports somewhat differently from the version found in the ceremonial book of Pseudo-Kodinos and which he interprets in an idiosyncratic fashion. According to Pseudo-Kodinos, the patriarch mounts his horse outside the imperial palace and leads imperial officials and dignitaries in a procession to the church of Saint Sophia. In Symeon of Thessaloniki's version, after his investiture the patriarch mounts his horse inside the imperial courtyard, and then a special groom leads on foot the patriarch's horse from the imperial courtyard to the building of the patriarchate near the church of Saint Sophia. In addition to imperial officials, the emperor's son also takes part in the procession. Symeon explained that the groom represented the emperor and accorded the patriarch the homage that Constantine had once done to Pope Sylvester.[116] Thus Symeon added new elements to a well-known ceremony and interpreted them through the Donation of Constantine. It is unknown whether Symeon's addition reflects real practices or the ecclesiastic made up the entire story of the groom service in concert with his overall hierocratic agenda. We may, however, observe the making of a compromise on how to apply the Donation in Byzantine court ceremonial. Unlike the case of Michael VIII and Arsenios, the secular ruler no longer attended to the patriarch as his squire – thus he avoided public humiliation. Instead, a special imperial representative performed the groom service in lieu of the emperor.

Furthermore, there can be no doubt that some late Byzantine ecclesiastics considered the Donation as a source of empowerment of the patriarch and the church. In his *Syntagma* Matthew Blastares remarks that the Donation "voices better than any monument the kind of honors that those emperors who do not neglect the pursuit of piety would justly grant the church of Christ." Blastares cited the document in a section of his legal collection where he needed to back up the authority of the patriarch of Constantinople over the episcopal hierarchy, although he avoided, intentionally as its seems, comparing the legal position of the patriarchate with that of the imperial office. Blastares inserted the text of Donation when discussing

[115] Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, cols. 437C–440A.

[116] Ibid., 441D: Καὶ ὑπὸ πεζοῦ τοῦ κόμητος τὸν χαλινὸν τοῦ ἵππου κατέχοντος ἀντὶ τοῦ βασιλέως αὐτοῦ, ὡς ὁ μέγας ἐν βασιλεῦσι Κωνσταντῖνος τῷ ἱερῷ πεποίηκε Σιλβέστρῳ. Cf. Pseudo-Kodinos, 281–82.

the ecclesiastical rights and privileges of the archbishopric of Ohrid and Justiniana Prima. In describing the powers of the see of Ohrid, Blastares referred to Justinian's novel 131, a law which grants the archbishopric of Justiniana Prima, the city founded by Justinian near the village where he was born, judicial rights equal to those of the papacy in ecclesiastical dioceses in the Balkans. A twelfth-century Byzantine canonical tradition identified Justiniana Prima (modern Caričin Grad in Southern Serbia), which had been destroyed in the seventh century during the Avaro-Slavic invasions, with the city of Ohrid.[117] In the early thirteenth century the lawyer and archbishop of Ohrid Demetrios Chomatenos made the extreme claim that novel 131 bestowed on the see of Ohrid not only judicial rights, but also the special papal prerogative of crowning and anointing emperors, as Chomatenos himself did in 1227 at the coronation of the Epirote ruler Theodore Komnenos Doukas.[118] Blastares took issue with the high ambitions of the see of Ohrid. He noted that Ohrid in fact was subject to the jurisdiction of Constantinople and pointed out that the patriarchal synod of Constantinople, too, possessed "the privileges of Old Rome" by virtue of the Donation of Constantine.[119]

The political theology of unction

The submission of the emperor to the patriarch through the ritual squire service of the emperor was only one of the ideas regarding the emperor's inferior stance in the church aired during the conflict between Arsenios and Michael VIII. After the deposition of Arsenios in 1264, his devoted followers, the Arsenites, accused the emperor of dismissing the patriarch illegitimately and began to gather arguments against imperial involvement in the church. They considered uncanonical Arsenios' deposition in the course of an ecclesiastical trial convoked by an emperor-*epistemonarches*. The earliest anti-Arsenite treatises report an argument of their opponents, according to which the Byzantine emperors had traditionally tended to discharge the patriarchs in an "illegal" and "unjust manner."[120] The

[117] G. Prinzing, "Entstehung und Rezeption der Justiniana-Prima-Theorie im Mittelalter," *Byzantinobulgarica*, 5 (1978), 269–87.

[118] Chomatenos, ed. Prinzing, no. 114, 376–77. See R. Macrides, "Bad Historian or Good Lawyer? Demetrios Chomatenos and Novel 131," DOP, 46 (1992), 187–96.

[119] Matthew Blastares, *Syntagma*, in Rhalles-Potles, vol. 6, 260: καὶ τῆς αὐτοῦ Συνόδου, ἥτις ἔχει τὰ προνόμια τῆς ἀρχαίας Ῥώμης.

[120] See, for example, the cases of Manuel I Komnenos and Isaac II Angelos, who were both said to have inflicted grave injustices on patriarchs: Methodios, *De Schismate Vitando*, PG, vol. 140, col. 800; Hody, *Anglicani novi schismatis redargutio*, 33–37.

anti-Arsenites agreed with their opponents that there were many cases in which emperors had "illegally" and "unjustly" dismissed patriarchs, although they insisted that no schism in the church should ensue in such a case. The Arsenite perspective is best revealed in the saint's life of Arsenios. Here the anonymous biographer presented his views of the ideal relationship between the patriarchs and the emperor, and formulated a full-fledged theory of patriarchal superiority. To begin with, the author removed any vestiges of imperial involvement from the episode of Arsenios' patriarchal election. By so doing, he clearly indulged in a polemic against earlier historical accounts of Arsenios' election. For example, the biographer left out the embarrassing detail that Nikephoros Blemmydes had been Theodore II's favorite candidate for the patriarchate in 1254, while Arsenios was his second choice. Blemmydes complained in his autobiography that Theodore II Laskaris had not followed the traditional electoral procedure by which the emperor was supposed to designate the patriarch from among three candidates elected by the synod. Instead, Theodore II himself installed Arsenios as patriarch.[121] Arsenios' biographer presented the election differently. According to him, after the election of the candidates by the synod, Theodore II declined to designate the patriarch and instead left the choice in the hands of God. A peculiar electoral procedure of divination was followed. An ecclesiastic opened the Bible on a random page and read aloud the first spotted passage.[122] If the passage favored the candidate, he was declared to be God's chosen patriarch. If not, the procedure was repeated. It was in this way that Arsenios – last among the candidates, but first in God's eyes – was elected.[123]

Behind this account of Arsenios' election – clearly a later fabrication by his devoted followers – lay the idea that the emperor had little to do with the appointment of the patriarch. Similar arguments reverberated in later

[121] *Nicephori Blemmydae Autobiographia*, I, 40, ch. 80.9–11: ἐφ' ἑαυτὸν μετήγαγε τὸν Ἀρσένιον· καὶ λόγου μηδενὸς δεηθείς, ἄνευ ψήφων, ἄνευ ἐπιλογῆς.

[122] The procedure followed was that of the so-called *sortes*, a popular practice of divination whose origins lay in the pagan past. See P. W. van der Horst, "*Sortes*: Sacred Books as Instant Oracles in Late Antiquity," in L. Rutgers, P. W. van der Horst, H. Havelaar, and L. Teugels (eds.), *The Use of Sacred Books in the Ancient World* (Leuven, 1998), 143–73. In Byzantium this practice is attested in the ninth century, when Pope Nicholas I (858–67) criticized it in his responses to the newly baptized Bulgarian tsar Boris-Michael. See *Responsa Nicolai I. Papae ad consulta Bulgarorum anno 866*, ed. D. Dechev (Sofia, 1922), no. 77, 82.

[123] "Life of Arsenios," 457.223–458.254. This version of Arsenios' election appears also in *Synopsis Chronike*, MB, vol. 7, 509–11, although in a less embellished and panegyrical form. The only difference is that, according to the *Synopsis Chronike*, God showed no favor to any of the three candidates elected by the synod, and then Arsenios was invited as a fourth candidate. According to the saint's life, Arsenios was one among the three candidates originally selected by the synod in accordance with the canons on episcopal elections.

centuries as well.[124] Particularly interesting in this respect are the opinions of Makarios of Ankara and Symeon of Thessaloniki. Both accepted the emperor's right to invest the patriarch, yet they dismissed the idea that an emperor possessed any priestly power which he bestowed on the patriarch. According to Makarios, the emperor acted as a "servant of the church of the lower orders" – an allusion to his clerical rank of *depoutatos* – as he handed over the staff to the patriarch. That the emperor invested the patriarch did not mean that the former possessed priestly power. For, according to Makarios, the patriarch already possessed spiritual power before this act, and the emperor – in handing over the staff to him – simply made manifest his secular power.[125] In turn, Symeon of Thessaloniki took issue with anonymous opponents who argued that the emperor "made" the patriarch an occupant of his high ecclesiastical office. He responded that it was the synod which "bestowed active power" (ἐνεργεῖ) on the patriarch, while the emperor simply acted as the synod's servant in handing over the staff to the patriarch. For the emperor was anointed by the church in order to be one of its associates and servants.[126]

The biographer of Arsenios underscored not only that the saintly patriarch did not depend on the emperor for his election, but also that as a patriarch he was the emperor's superior. For one thing, he described how Theodore II Laskaris willingly obeyed the church and the patriarch. Here he clearly disagreed with earlier authors, such as Akropolites and Blemmydes, who described Arsenios as being prone to yield slavishly to the emperor's commands.[127] Most importantly, the biographer of Arsenios worked out a generally applicable thesis about the relations between emperor and patriarch:

He [the emperor Theodore II] being obedient to the patriarch did everything in accordance with the patriarch's opinion and was led in every respect by his will, granting power to the church and subordinating himself to the church. For the head of the church is Christ, of whom the patriarch bears the imprint, and as he anoints with imperial oil the emperors he would reasonably have them [the emperors] as his subordinates who yield to his will. For what anoints is greater than the anointed, in the same way that what sanctifies is greater than the sanctified. If it is necessary that lesser things obey the greater ones, and if the church – with Christ being its head and with the patriarch being Christ's image – is greater, it is by all means necessary that the emperor who is sanctified and anointed by the patriarch, because he [the emperor] lacks this grace, should obey like a servant the church and its leader who, as we have said, bears in a spiritual fashion the image of Christ – for he [the emperor] receives [grace] from the patriarch . . .[128]

This concise syllogistic statement encapsulates a new and forceful hierocratic theory. The patriarch – an imitator of Christ – inserted himself between God and the emperor in a hierarchy of power relationships. This argument, which is based on the patriarch's role as the emperor's anointer, was destined to inspire subsequent ecclesiastical authors. For this reason its sources and implications merit detailed investigation.

The argument reported in Arsenios' saint's life contains traditional formulations as well as new interpretations. Two of its premises are clearly derived from the New Testament: Christ as the head of the church (Paul, Ephesians 5:23) and the superiority of the sanctifying force over the sanctified (Matthew 23:17). The concept of the patriarch as an "image of Christ" is taken straight from the Photian chapter on the patriarch in the *Eisagoge*. However these old formulas were now placed in a different context and became cornerstones of a hierocratic argument far more radical than that of Photios. The central premise of this argument was a new one: the role of the patriarch as the emperor's anointer. It was the coronation ceremony of anointment of the emperor by the patriarch that enabled the anonymous Arsenite author to construct a cogent hierocratic thesis.

Here we need to digress briefly to inspect aspects of Byzantine coronation ritual and traditional canonical interpretations of the meaning of imperial anointing. The date of introduction of the coronation rite of the physical anointing of the Byzantine emperor has been much discussed and disputed, mostly because of the tendency of medieval Greek authors to use

[124] For Athanasios, his predecessors on the patriarchal throne Arsenios, Joseph, and Gregory of Cyprus were directly chosen by Christ. See *Correspondence of Athanasius*, no. 2, 6.6–9. See also A. Failler, "La déposition du patriarche Calliste I[er] (1353)," REB, 31 (1973), 41. Here the argument was made that the synod and God's grace, but not the emperor John VI Kantakouzenos, had elected Patriarch Philotheos.

[125] Laurent, "Le rituel de l'investiture du patriarche," 232: ἐκφάνσει κοσμικῆς ἀρχῆς ἔχοντι τὴν πνευματικὴν ἐγχειρίζοντος τότε τῷ πατριάρχῃ τοῦ βασιλέως τὸ κοινῶς λεγόμενον δεκανίκιον ὡς καὶ ἑνὸς ὄντος τῶν ὑποβεβηκότων ταγμάτων καὶ ἐξυπηρετούντων τῇ Ἐκκλησίᾳ.

[126] Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, col. 440CD.

[127] Akropolites I, 106–07. Blemmydes opposed enactments of Theodore II Laskaris, which Arsenios seems to have supported. See *Nicephori Blemmydae Autobiographia*, I, 40–42, ch. 81–84; 43–44, ch. 87–88; Laurent, *Regestes*, 1329, 1335.

[128] "Life of Arsenios," 460.331–461.343: Ὅς καὶ πειθήνιος ὑπάρχων τῷ πατριάρχῃ πάντα κατὰ τὴν ἐκείνου γνώμην ἐποίει καὶ τοῖς ἐκείνου θελήμασιν ὅλως ἤγετο τῇ ἐκκλησίᾳ δή που τὸ κράτος παρέχων καὶ ταύτῃ ὑποτασσόμενος. Ταύτης γάρ ἐστι κεφαλὴ ὁ Χριστός, οὗ τύπον φέρων ὁ πατριάρχης καὶ τῷ βασιλικῷ χρίων ἐλαίῳ τοὺς βασιλεύοντας πειθηνίους ἂν τούτοις εἰκότως ἔχοι καὶ τοῖς αὐτοῦ θελήμασιν εἴκοντας. Τὸ γὰρ χρῖον μεῖζόν ἐστι τοῦ χριομένου ὥσπερ καὶ τὸ ἁγιάζον δήπου τοῦ ἁγιαζομένου. Εἰ δεῖ οὖν τὰ ἐλάττω τοῖς μείζοσι πείθεσθαι, μείζων δὲ ἡ ἐκκλησία ἧς ὁ Χριστὸς κεφαλή, οὗ τὴν εἰκόνα φέρει ὁ πατριάρχης, πάντως δεῖ καὶ τὸν ὑπὸ τούτου ἁγιαζόμενον καὶ χριόμενον βασιλέα ὡς ἐνδεῆ τῆς τοιαύτης χάριτος ὄντα, δοῦλον δέ – καὶ γὰρ παρὰ πατριάρχου λαμβάνει – πείθεσθαι τῇ ἐκκλησίᾳ καὶ τῷ ταύτης ἐξηγουμένῳ πνευματικῶς εἰκόνα Χριστοῦ, ὥσπερ ἔφημεν, φέροντι. The manuscript breaks off at the beginning of the next sentence, which is unfortunate because the way in which this argument continues is unknown.

the word "anoint" in a metaphorical sense. In any case, imperial anointing at coronation is not firmly attested before 1204 and most probably was never practiced during the early and middle Byzantine periods. After the fall of Constantinople, however, the unction with holy chrism of the emperor became an integral component of imperial coronation ceremonial.[129] As George Ostrogorsky has plausibly hypothesized, the driving force behind the introduction of royal unction in late Byzantium was Western coronation ritual: kings in the medieval West had been anointed at their coronation since the seventh century.[130] Irrespective of whether or not this innovation in Byzantine coronation ritual occurred for the first time after 1204 and under Western impact, the *concept* of the divine anointment of the ruler with kingly power had been well known in Byzantium. The inspiration was clearly scriptural. The practice and the language of divine unction are omnipresent in the Bible. In the Old Testament the ritual anointing of the king with holy oil symbolizes God's approval and legitimation. The Bible frequently calls legitimate kings the "Lord's Anointed Ones." It is important to note that priests and prophets are also anointed in the Old Testament with holy oil in a ceremonial act that signifies God's approbation.[131] The rite of physical anointing was thus common to both secular leaders and priests. Jesus Christ, the priest-king, was the Lord's anointed – the word "Christ" itself means in Greek "the Anointed One."

[129] This is the opinion of Dagron, *Emperor and Priest*, 273–76. Dagron has reviewed the large modern bibliography on the introduction of the ceremony of the emperor's anointing in Byzantium. There is incontrovertible information about the anointing of John III Vatatzes and the Epirote emperor Theodore Komnenos Doukas (Chomatenos, ed. Prinzing, no. 114, 375–76), Theodore II Laskaris (Gregoras I, 55.22; *Nicephori Blemmydae Autobiographia*, I, 37, ch. 74.13–15), and Michael IX Palaiologos (Pachymeres II.iii, 221.12). See also the description of the ceremony of the emperor's anointing by Pseudo-Kodinos, 258, and Symeon of Thessaloniki, *De Sacro Templo*, PG, vol. 155, col. 353. Scholars have sometimes taken a canonical argument reported by Balsamon (Rhalles-Potles, vol. 3, 44–45) as evidence that the ceremony of imperial unction had already existed in Byzantium during the tenth century – during the coronation of emperor John I Tzimiskes. However this is one of the many examples of the metaphorical use of the idea of "imperial unction" in the middle Byzantine period, as Balsamon and a contemporary anonymous commentator in Cod. Sin. gr. 1117 imply when they compare the anointing of the emperor with the anointing of bishops, that is, ordination. See V. Tiftixoglu, "Zur Genese der Kommentare des Theodoros Balsamon. Mit einem Exkurs über die unbekannten Kommentare des Sinaiticus gr. 1117," in N. Oikonomides (ed.), *Byzantium in the Twelfth Century. Canon Law, State, Society* (Athens, 1991), 506–10. Chomatenos, however, reports in the 1220s that imperial unction had been an ancient custom, thus directly contradicting Balsamon. See Macrides, "Bad Historian or Good Lawyer?" I tend to give less evidentiary weight to the testimony of Chomatenos, for it was expressed in a polemical context in his dispute with Patriarch Germanos II of Nicaea.

[130] G. Ostrogorsky, "Zur Kaisersalbung und Schildererhebung im spätbyzantinischen Krönungszeremoniell," *Historia*, 4 (1955), 246–56. J. Nelson, *Politics and Ritual in Early Medieval Europe* (London, 1986), 247 ff., has traced the earliest case of royal anointing to Visigothic Spain in 672.

[131] For example, I Kings 10:1; 16:13 (Saul's and David's anointment). On the designation of kings as the Lord's anointed, see I Kings 16:6; 24:7. On the anointing of priests and prophets, see Exodus 29:7 and III Kings 19:16.

Royal anointing aroused the interest and the imagination of medieval ideologues of power, both Byzantine and Western. The discussion of the political implications of royal unction was especially lively in the early and high medieval West where, unlike Byzantium, priests and kings were anointed with holy oil in a special inauguration ceremony. In fact, the interpretations by Western medieval authors mirrored closely the ones that would emerge in Byzantium. Two contrary views of the political meaning and constitutional significance of royal unction arose in western Europe. The proponents of the first view argued that anointing turned the ruler into a quasi-priest. A court poet in early tenth-century Italy wrote that the Western emperor became priest by virtue of his anointment by the pope, for both priests and the emperor were anointed with the same divine oil.[132] Over time, however, canonists supporting the political cause of the papal monarchy realized that the ecclesiastical ceremony of the emperor's anointing empowered the papacy. Thus a divergent, hierocratic interpretation based on royal unction emerged. In 1202 Pope Innocent III (1198–1215), doubtless one of the most ambitious popes in the Middle Ages, issued a decretal, arguing that the pope possessed the special right to examine and, if necessary, reject the elected Western emperor who came to Rome to be crowned and anointed.[133] In this interpretation, the ceremony of coronation and anointment was not simply a mystic ritual signifying divine sanction, but a constitutional act granting authority to the pope as God's active agent.

In Byzantium, as in the medieval West, the proponents of imperial priesthood led the way. In the twelfth century the canonist Theodore Balsamon used the emperor's Old Testament epithet of "the Lord's Anointed" to make an argument in support of the theory of imperial priesthood:

> Because the emperor of the day is the Lord's Anointed One through his anointing of imperial power and because Christ [that is, "the Anointed One"] is called also a bishop among other names, it is for a good reason that the emperor also possesses episcopal grace.[134]

[132] The emperor was Berengar of Friuli, whom Pope John X (914–28) anointed in Rome in 915. See *MGH. Poetae Latini*, IV, ed. E. Dümmler (Berlin, 1923), 390. Cf. M. Bloch, *Les rois thaumaturges* (Strasbourg, 1924), 73–76; Ullmann, *Growth of Papal Government*, 149–56. See also the canonical theory that the emperor becomes *sanctus* after his anointing, *Die Kanonessammlung des Kardinals Deusdedit*, ed. V. W. von Glanvell (Paderborn, 1905), 439.

[133] This is Innocent III's decretal *Venerabilem* (1202). See *MGH. Constitutiones et Acta Publica Imperatorum et Regum* (= *Legum Sectio*, IV), ed. L. Weiland (Hanover, 1896), 505.31–506.1. A partial translation can be found in Tierney, *Crisis of Church and State*, 133–34. See the analysis of hierocratic canonical opinion on unction by F. Kempf, *Papsttum und Kaisertum bei Innozent III. Die geistigen und rechtlichen Grundlagen seiner Thronstreitpolitik* (Rome, 1954), 206–07.

[134] Rhalles-Potles, vol. 2, 467: ὅτι δὲ καὶ χριστὸς Κυρίου ὁ κατὰ καιροὺς βασιλεύς ἐστι διὰ τὸ χρίσμα τῆς βασιλείας, ὁ δὲ Χριστὸς καὶ Θεὸς ἡμῶν μετὰ τῶν ἄλλων καὶ ἀρχιερεὺς ἀνακηρύττεται,

This view of "royal anointing" as conferring sanctity on the emperor persisted within late Byzantine ecclesiastical circles. Demetrios Chomatenos, as we have noted, quoted verbatim Balsamon's words in his response to Constantine Kabasilas' canonical query.[135] During the thirteenth and fourteenth centuries the argument continued to be made that the unction of imperial power – now understood as the emperor's physical anointment with holy chrism performed at coronation – gave the ruler the epithet "holy," bestowed on him a quasi-sacerdotal status, and justified his powers over the church.[136] Even Symeon of Thessaloniki agreed that the emperor's anointment entitled him to be designated "holy" (*hagios*), although he insisted that the only special right of the emperor resulting from this holiness was to enter the sanctuary of the church on the day of his coronation.[137]

During the thirteenth century, however, a rival, hierocratic interpretation of the meaning of imperial unction arose. The anonymous biographer of patriarch Arsenios turned the unction-based argument formulated by the ideologues of imperial priesthood on its head. Comparing the pro-imperial argument of the twelfth century with the new interpretation, based on coronation ritual, can be illuminating. Imperial propaganda during the twelfth century claimed that God directly anointed the emperor and in a way inaugurated him as legitimate ruler. An official ordinance of the emperor Isaac II Angelos issued in 1187 stated that "God who made and anointed" him emperor had granted him the priestly title of *epistemonarches*.[138] The coronation ceremony of imperial anointing introduced

εὐλόγως καὶ αὐτὸς ἀρχιερατικοῖς κατακοσμεῖται χαρίσμασι. Cf. Rhalles-Potles, vol. 4, 544. According to another twelfth-century canonical interpretation, the unction of kingship expiates miraculously all the crimes which an emperor has committed before his accession. See Rhalles-Potles, vol. 3, 44–45.

[135] Chomatenos, ed. Pitra, col. 632.

[136] Pachymeres reports that Michael VIII was incensed at reports that the anti-unionist patriarch Joseph had omitted calling the emperor "holy" (ἅγιος) in his testament. Pachymeres explained that the epithet "holy" was given to the emperor on his anointment with holy chrism. See Pachymeres I.ii, 639.11–12. οὐ μὴν δὲ καὶ προσετίθει τὸ ἅγιος, ὃ σύνηθες ἔχειν ὡς χρισθέντας μύρῳ τοὺς βασιλεῖς. In the fourteenth century Patriarch Neilos (1380–88) wrote to the grand prince of Muscovy Vasilii that the Byzantine emperor was *ordained* through his anointment with holy chrism; see MM, vol. 2, 190. In the early fifteenth century Makarios of Ankara (the future hierocrat) wrote in his anti-Latin treatise that the Byzantine emperor was entitled to preside over an ecumenical council which would resolve the schism with the western church, for his anointing with chrism bestowed holiness on him and made him a priest, a bishop, and a teacher of faith. See Dositheos, *Tomos katallages* (Iasi, 1692), 54: ὅτι χριστὸς Κυρίου ὁ βασιλεὺς καὶ ἅγιος τῷ χρίεσθαι μύρῳ καὶ τῶν τοῦ ἱεροῦ βήματος καὶ ἀρχιερεὺς καὶ ἱερεὺς καὶ διδάσκαλος πίστεως.

[137] Symeon of Thessaloniki, *De Sacro Templo*, PG, vol. 155, col. 352CD. See *De Sacris Ordinationibus*, ibid., col. 432AB.

[138] Rhalles-Potles, vol. 5, 314: ὡς καὶ τὴν τοῦ ἐπιστημονάρχου τῆς Ἐκκλησίας τάξιν λαχούσης τῆς βασιλείας μου, παρὰ τοῦ ταύτην χρίσαντός τε καὶ βασιλεύσαντος. The ordinance of Isaac II Angelos concerned metropolitan elections which had been uncanonical.

after 1204, however, placed its performer, the patriarch, in the intermediary position of dispenser of God's grace, which he transmitted to the emperor. Thus it became possible to break the direct connection between God and emperor and to transform the pro-imperial political theology of unction into a hierocratic one. As the anonymous biographer of Arsenios explicitly observed, the emperor lacked a priori the grace of God and received it only from his agent, the patriarch – the exact reverse of Balsamon's idea that the emperor possessed episcopal grace by virtue of being modeled after Christ, the Anointed One.

The political theology of unction espoused by the Arsenite author was further developed into a slightly modified and radicalized hierocratic argument which impressed itself in Byzantine ecclesiastical thought, namely that the emperor was the creation of the church and his anointer, the patriarch. It must be noted that late Byzantine churchmen also reached this conclusion, by a different method. They took a step further the formula from Pseudo-Basil's mirror of princes, whose author most probably was the patriarch Photios, that the church like a mother nourishes emperors in a sense of piety and godliness. In his letters to Andronikos II, Patriarch Athanasios took this idea to mean that the church gave birth to and nurtured the emperor, and – what is more significant – justified him in his reign and rule.[139] One of Athanasios' successors on the patriarchal throne in the early fourteenth century, John XIII Glykys (1315–19), also remarked that the church both nourished and created her sons, the emperors.[140] The emperor Manuel II Palaiologos (1391–1425) summed up the late Byzantine modification of the view that the church was the emperor's mother. In a mirror of princes addressed to his son and heir Manuel II wrote that the church was the emperor's "mother, breast, teacher, *creator, anointer*, way and guide, associate and comforter in what is best and most enduring."[141] These statements about the constitutive power of the church with regard to imperial authority are somewhat vague and rhetorical; they do not explain how and why the church implanted power in the emperor's hands.

Makarios of Ankara and Symeon of Thessaloniki came much closer to the argumentative logic found in the saint's life of Arsenios. Makarios

[139] *Correspondence of Athanasius*, no. 55, 122.4–6; no. 95, 248.23–27.

[140] S. Kourouses, "Ὁ λόγιος οἰκουμενικὸς πατριάρχης Ἰωάννης ΙΓ΄ ὁ Γλυκύς," EEBS, 41 (1974), 393.39–42. The context is a prayer on the emperor's behalf.

[141] Manuel II Palaiologos, *Foundations of Imperial Conduct*, PG, vol. 156, ch. 11, col. 325C (emphasis added in English translation): αὐτή σοὶ μήτηρ, τίτθη, διδάσκαλος, πλάστης, ἀλείπτης, ὁδός, καὶ ὁδηγός, καὶ συνεργός, καὶ παράκλησις, πρὸς ὅ τι κάλλιστόν καὶ μονιμώτατον.

reasoned that since God anointed the head of the emperor through the hands of a priest, the priest was a potentate (*archon*) of higher standing.[142] More radical and better substantiated was Symeon of Thessaloniki's argument. In his treatise *On the Sacred Ordinations*, Symeon compared the two types of anointing – the material unction of the emperor and the spiritual unction of bishops. He explained that the emperors of his time were "anointed by the church, thus receiving from the church their position of potentates." By contrast, the bishops were anointed by the grace of the Holy Spirit. Therefore they were the true potentates (*archontes*) installed on earth by God and were the embodiment of the priest-king Melchizedek.[143] This premise influenced Symeon's commentary on the meaning of the anointing of the emperor in his treatise *On the Holy Temple*. Symeon repeated here the well-known interpretation that the unction of the emperor was modeled after Christ's anointment and was an act of the Holy Spirit. Further, he explained that the priest performing the ritual of anointing bestowed on the emperor a special kind of "grace of imparting and giving" (*metadotike charis*) – an active grace which allowed the emperor "to appoint secular officials and generals."[144] This was a significant new addition. What for the biographer of Arsenios had been the grace of God (without any qualification) granted by the patriarch to the emperor through ritual anointing became for Symeon an active grace, which gave the emperor the necessary authority to administer the empire. Thus Symeon saw the emperor's anointing by the priest as a truly constitutive and legitimizing act: it marked the emperor's inauguration into rulership and the moment from which he began his reign. The Arsenite hierocratic thesis had lived on.

[142] Makarios of Ankara, Paris, Bibl. Nat., Cod. gr. 1359, f. 102 r: ἡ τῆς ἱερωσύνης ἀρχὴ τῆς βασιλικῆς καὶ τοσούτῳ μεῖζον, ὅτι ὁ μὲν βασιλεὺς σώματα ἐμπιστεύεται, ὁ δὲ ἱερεὺς ψυχάς· διὰ τοῦτο καὶ ἐν τῇ παλαιᾷ οἱ ἱερεῖς τοὺς βασιλεῖς ἔχριον· καὶ νῦν τὴν κεφαλὴν τοῦ βασιλέως ὑπὸ τὰς χεῖρας τοῦ ἱερέως φέρων τίθησιν ὁ θεός, παιδεύων ἡμᾶς, ὅτι ἐκείνου μείζων ἄρχων. The first sentence echoes John Chrysostom about the superiority of priesthood to imperial power, a relationship similar to that between one's soul and one's body.

[143] Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, col. 416C: Καὶ νῦν οἱ βασιλεῖς χρίονται παρὰ τῆς Ἐκκλησίας, τὸ ἄρχοντες εἶναι παρ᾽ αὐτῆς λαμβάνοντες· καὶ οἱ ἀρχιερεῖς δὲ διὰ τὴν ἐξουσίαν καὶ τὴν ἀρχὴν τοῦ Πνεύματος τῇ χάριτι χρίομενοι. "Καταστήσεις γὰρ αὐτούς, φησίν, ἄρχοντας ἐπὶ πᾶσαν τὴν γῆν" (Psalm 44:17).

[144] Symeon of Thessaloniki, *De Sacro Templo*, PG, vol. 155, col. 353BC: καὶ μεταδοτικὴν διὰ τῆς εὐωδίας τοῦ μύρου χαριζόμενος αὐτῷ χάριν, εἰς τὸ ἄρχοντας κατὰ κόσμον καὶ στρατηγοὺς καθιστᾷν. A sixteenth-century Greek vernacular text describing the emperor's coronation, doubtless based on Symeon, contains the same passage. See P. Schreiner, "Ein volkssprachlicher Text zur byzantinischen Kaiserkrönung aus der Zeit der Turkokratia," *Byzantiaka*, 1 (1981), 55.

THE MODERATE HIEROCRATS: PATRIARCH ATHANASIOS AND THE FREEDOM AND UNIVERSALISM OF THE CHURCH

The hierocratic theories which sprang up during the Arsenite schism and found their fulfillment in the works of Symeon of Thessaloniki dealt mainly with the subject of the relationship between the emperor and the patriarch. Patriarch Athanasios embraced a rather different hierocratic scheme. Athanasios moved the focus of the discussion away from the relationship between the imperial office and the patriarchate to the larger issues of the nature and rights of the church as a corporate body. The forum in which the patriarch presented his ideas was his letters and sermons to Andronikos II, where he tackled the principles of the relations between church and empire. Athanasios insisted on the precedence of the church, claiming that the church was a more precious, more enduring, and more universalist institution than the empire. In his vision, the emperor had to obey the church, its ordinances, and its laws. The main ideological slogan which he repeatedly gave in his works was that of "liberty of the church" (*eleutheria tes ekklesias*).

To understand better the ecclesiological ideas put forth by Patriarch Athanasios, it is necessary to look beyond his writings and into his personal experiences and the historical circumstances which shaped his life and leadership of the Byzantine church. On cursory examination Athanasios appears to be an unlikely candidate to be an intellectual heir to Arsenios and the Arsenites. For one thing, he did nothing to resolve the Arsenite schism in the course of his two patriarchates. He harbored a deep dislike for the Arsenites because they had ripped apart the precious body of the church.[145] More importantly, the hierocratic scheme which he embraced, innovative as it was, pales in comparison with the radicalism of the Arsenites. Athanasios was unwilling to take the extreme steps of viewing the patriarch as the emperor's superior or of questioning the priestly mystique of the emperor. For Athanasios kingship was first and foremost a divine ministry. The emperor was anointed by God and therefore was answerable directly to God.[146] The patriarch constantly reminded Andronikos that by administering the empire justly he would stand in good stead on the day of

[145] *Correspondence of Athanasius*, no. 69, 165.30 ff.

[146] See ibid., no. 110, 274.50–51, where Athanasios speaks of the emperor as "God's minister," an idea which goes back to Paul, Romans 13:4. Athanasios also called the emperor a minister of God in his novel, in a section where he urged strict application of the laws on fornication, adultery, homosexuality, incest, and magic. See JGR, vol. 1, 534 and Rhalles-Potles, vol. 5, 123.

the Last Judgement.[147] Furthermore, the emperor's ministry included not only the proper administration of the state (*politeia*), but also of the church (*ekklesia*).[148] Athanasios recognized that the emperor was *epistemonarches* of the church and thus was entitled to give administrative orders to ecclesiastics and put them on trial.[149] It is noteworthy, however, that Athanasios did not view the emperor's powers in the church as arbitrary, but invoked the ruler's disciplinary role in church when, and only when, the patriarch wanted to ensure the enforcing of the canons. The acknowledgment of the ministerial role held by an emperor-*epistemonarches* certainly closed the road for a radical hierocratic thesis. In making these concessions Athanasios proved to be a realist, and this is fully understandable. He was not a dissident like the Arsenites and no provincial ecclesiastic like Symeon of Thessaloniki. As a leader of the Byzantine church, Athanasios needed the support of the emperor and his coercive authority in order to reform society in accordance with his designs.

On the other hand, Arsenios and Athanasios shared similar views and backgrounds. At an unknown time, most probably during his second term in office (1261–64), Arsenios issued a set of ordinances addressed to all newly ordained metropolitans, bishops, and clerics of lesser rank.[150] These ordinances envisaged a comprehensive reform of ecclesiastical life. Clergymen were urged to take care of the weak and underprivileged members of their flock. The canons of the church were to be upheld with an uncompromising rigor. The standards of monastic life were to be observed strictly. Special care was to be taken of church property, and the heresy of simony was to be eradicated. The Arsenites in fact showed a special interest in combating simony. The official agreement of 1310 which ended the Arsenite schism makes a special provision for the deposition of clergymen who bought their ordination.[151] The word used for simony (*simoniake kakia*)

[147] On the Last Judgement, see, for example, *Correspondence of Athanasius*, no. 14, 34; no. 58, 128; no. 65, 152. On the emperor as the Lord's anointed without any hierocratic interpretation, see ibid, no. 12, 30.32–34; no. 81, 206.71.

[148] Ibid., no. 49, 110.95–96: τίς γὰρ τὰ τῆς ἐκκλησίας, τίς τὰ τῆς πολιτείας, εἰ ὡς φίλον Θεῷ διεξάγεσθαι πολυπραγμονεῖ καὶ συνίστησιν.

[149] Ibid., no. 61, 142, no. 95, 248. In the first letter Athanasios called on Andronikos II to expel the provincial bishops resident in Constantinople. In the second one, a cry for help, he appealed to the emperor to put on trial the metropolitan of Kyzikos Niphon, the future patriarch (1310–14), who was accused of simony and had begun to gain the emperor's favor as a possible replacement for Athanasios.

[150] Rhalles-Potles, vol. 5, 544–50, without any author and date. Laurent, *Regestes*, 1374, attributes the authorship of the ordinances to Arsenios on the basis of the version of the text in a Moscow manuscript.

[151] See V. Laurent, "Les grandes crises religieuses à Byzance. La fin du schisme arsénite," BSHAR, 26 (1945), 291.65–73. See also Pachymeres II.iv, 391. In the year immediately following 1310

in Arsenios' reformist ordinance reflects Western terminology and parallels the criticism of the sale of bishoprics by the reformist papacy in the West.[152] All the issues raised in the reformist ordinance of Arsenios were to figure prominently in the reforms of patriarch Athanasios, and in this Arsenios was a precursor of Athanasios.[153]

Furthermore, Arsenios and Athanasios shared similar personal experiences which shaped their uncompromising attitudes to secular rulers. Both were austere monks and mystics for a long time before becoming patriarchs; their reputation as miracle-working holy men helped them to regain the patriarchal throne after having once resigned from the highest office in the church. It was because of Arsenios' alleged miracle-working powers that his devotee, the *sebastokrator* Constantine Tornikes, convinced Michael VIII to reappoint him patriarch in summer 1261. Athanasios regained the favor of Andronikos II after having successfully predicted an earthquake.[154] Both Arsenios and Athanasios had little secular education and were steeped in religious learning. In the case of Athanasios, we know that John Chrysostom was his favorite father of the church, who implanted in him the obsession with moral reform and affected, as we shall see, his ecclesiology.[155] Contemporary lay observers passed a remarkably similar judgment on Arsenios and Athanasios – both were uncompromising and zealous monks whose virtues were suited for a life of monastic solitude rather than for the world of politics.[156] Athanasios was certainly a misfit in the learned and secularly oriented court of Andronikos II. In terms of his limited erudition he was

patriarch Niphon indeed undertook action against simony (cf. Darrouzès, *Regestes*, 2005 and 2006), although he was eventually indicted for simony himself and had to resign from the patriarchal office.

[152] The canons do not designate simony as σιμωνία. See, for example, Rhalles-Potles, vol. 2, 217–20. The Gnostic heresy of the Simonians in the early Christian period, of course, had nothing to do with simony. In the late Byzantine period the word "simony" was increasingly used.

[153] Athanasios had already initiated a reform of monasticism during his first patriarchate. See Pachymeres II.iii, 165–69; Gregoras I, 183–184; T. Miller and J. Thomas, "The Monastic Rule of Patriarch Athanasios I: An Edition, Translation and Commentary," OCP, 62 (1996), 353–71. On his position on simony, see *Correspondence of Athanasius*, no. 48, 104; no. 65, 152; Gennadios, *Orthodoxia*, 174–75. Rigorous enforcement of the canons was one of Athanasios' goals.

[154] Akropolites I, 180.5–15; Pachymeres II.iv, 393–97.

[155] In 1303 Andronikos II is said to have compared Athanasios with John Chrysostom when he chose him to be patriarch. See Gregoras I, 216. Athanasios himself looked up to John Chrysostom as his model. See *Correspondence of Athanasius*, no. 2, 6.14–19. On Athanasios' exclusively religious education and obsession with patristic authors, see ibid., XXVIII–XXIX.

[156] Pachymeres strongly disliked Athanasios, whom he considered to be too rigorous with regard to patriarchal officials. See, for example, Pachymeres II.iii, 185. Gregoras (I, 55, 180–86) described both Arsenios and Athanasios as austere men with little worldly knowledge. Unlike Pachymeres however, Gregoras evaluated positively Athanasios' reforms of the church, his attachment to justice, and especially his strictness toward vagrant and undisciplined monks.

worlds apart from Andronikos II's prime ministers Choumnos and Metochites, who were scholars interested in the classical past and wrote in sophisticated Attic Greek. He presents a stark contrast even to his predecessor on the patriarchal throne, Gregory of Cyprus, a man of considerable secular learning and a shrewd politician. Athanasios was also worlds apart from these men ideologically, for he subscribed to the ideal of impartial justice while they thrived, as we have seen, on privilege and imperial favoritism.[157]

Born in about 1230–35 in Adrianople with the baptismal name Alexios and being of a humbler social background than Arsenios, Athanasios spent the first fifty years of his life as a monk in monasteries on Mount Athos and in Asia Minor. Like Arsenios, Athanasios traveled outside the Byzantine empire, visiting the Holy Land and the rocky monasteries in Jordan. The central formative event, where Athanasios' life path crossed that of Arsenios and of other monks who would occupy high posts in the church during the reign of Andronikos II, was the Union with the Latin church and the Byzantine resistance to its implementation. While Arsenios himself in his *Testament* condemned Michael VIII from his island of exile and the Arsenites anathematized the emperor at a provincial church council in Thessaly in 1278, monks like Athanasios spearheaded opposition to the Latin-minded emperor in Constantinople itself.[158] Some were later venerated as saints. Others became high-ranking ecclesiastics, such as Athanasios himself and his contemporary Theoleptos, metropolitan of Philadelphia – a man who shared not only Athanasios' career path but his political credo. The resistance against the unorthodox emperor led to a reevaluation of the emperor's position as *epistemonarches* of the church. The monk Job Iasites wrote that the title of *epistemonarches* did not entitle the emperor to wield unlimited authority over the church, but bound him to follow its canons and observe its dogmatic teaching.[159] Old images of saintly martyrdom in

[157] *Correspondence of Athanasius*, no. 37, 76–79, where Athanasios criticizes Choumnos for seeking marriages into the imperial family. See A. Laiou, "The Correspondence of Gregorios Kyprios as a Source for the History of Social and Political Behavior in Byzantium, or on Government by Rhetoric," in W. Seibt (ed.), *Geschichte und Kultur der Palaiologenzeit* (Vienna, 1996), 91–108.

[158] Arsenios, *Testament*, PG, vol. 140, col. 956CD. We know that the Arsenites were the driving force behind the provincial church council in Thessaly in 1278, which subjected Michael VIII to yet another excommunication after that imposed by Arsenios. The act of this council has been published by Papadopoulos-Kerameus, *Analekta*, vol. 1, 471–74; cf. V. Grumel, "En Orient après le II[e] Concile de Lyons," EO, 24 (1925), 324–25. Athanasios became associated with the monks Galaktion and Isaac Garares, prominent opponents of the Union, during his residence at a monastery on Mount Galesion in Asia Minor. See A. Papadopoulos-Kerameus, "Zhitiia dvukh Vselenskikh Patriarkhov XIV v., svv. Afanasiia I i Isidora I," *Zapiski istoriko-filol. fakul'teta Imperatorskago S. Peterburskago Universiteta*, 76 (1905), 11–12.

[159] See Patriarch Joseph's response to Michael VIII drafted by the monk Job Iasites: V. Laurent and J. Darrouzès, *Dossier grec de l'Union de Lyon (1273–1277)* (Paris, 1976), 237–39.

the face of brutal secular authority were revived. Thus the monk Galaktion declared Michael VIII to be "a new Julian" to his face, a defiant act for which he was blinded. Another monk, Lazaros, urged loyalist ecclesiastics to prefer sweet martyrdom to conformity with a heretic ruler.[160] It is noteworthy that the biographers of both Athanasios and Theoleptos considered it necessary to include episodes of the saints' face-to-face confrontation with the heretical emperor and the brutal punishment that ensued.[161] These are hagiographical commonplaces, yet they capture the spirit of resistance and steady resolve that was to carry itself over into the reign of Andronikos II, when former dissidents gained the upper hand in the church.[162]

There were clear signs that the church had began to recover itself and regroup after the accession of Andronikos II in 1282. Two decisions of the patriarchal synod in 1294 exemplify the new spirit of defiance. In 1278 the subservient synod of Michael VIII had sanctioned a dynastic alliance with the Epirote dynasty, despite the canonical prohibition due to consanguinity. The document issued by the synod at the time had explicitly underscored that emperors stood above the law governing marriage.[163] By contrast, in spring 1294 the patriarchal synod forbade on the grounds of consanguinity a politically advantageous marriage between Andronikos II's son and heir Michael IX with the Epirote princess Thamar, which would have brought Constantinople and Epiros under a single line of succession.[164] In May 1294, a few days after the imperial coronation of his son

[160] Pachymeres II.iii, 25.23–27.2; V. Laurent and J. Darrouzès, *Dossier grec de l'Union de Lyon*, 546–47.

[161] On Athanasios, see his life by Theoktistos the Studite: Papadopoulos-Kerameus, "Zhitiia dvukh Vselenskikh Patriarkhov," 12–13, 17–19. On Theoleptos, see Nikephoros Choumnos, "Epitaph on Theoleptos of Philadelphia," AG, vol. 5, 218–19.

[162] In the early 1280s Andronikos II favored former dissenters and even Arsenites for ecclesiastical posts. For example, Andronikos of Sardis – a one-time associate of Patriarch Arsenios – was made again metropolitan of Sardis. He proved disloyal and was deposed on grounds of *lèse-majesté*. See Pachymeres II.iii, 61–63, 77–79.

[163] Pachymeres I.ii, 559.24–561.4 (Laurent, *Regestes*, 1441). See the synodal decision of November 1278 in M. Gedeon, *Ἀρχεῖον ἐκκλησιαστικῆς ἱστορίας*, vol. 1 (Istanbul, 1911), 48–49. The synod permitted the marriage of Anna, daughter of Michael VIII, and Michael Angelos, son of the Epirote ruler Michael II Komnenos Doukas (ca. 1230–67), despite the fact that they were related within six degrees of consanguinity. The synod pointed out that the law on the prohibited degrees of marriage did not apply to imperial marriages. Michael VIII's court historian Akropolites (I, 100.12–14) speaks of a similar imperial right, a right derived from marriage practices among the Komnenoi during the twelfth century. See A. Laiou, *Mariage, amour et parenté à Byzance aux XI[e]–XIII[e] siècles* (Paris, 1992), 35 ff., 55–56.

[164] Pachymeres II.iii, 227.9–16 (Laurent, *Regestes*, 1564). Laiou, *Constantinople and the Latins*, 41–43, has suggested that the rejection by the synod may have provided Andronikos II with a pretext to decline the proposal, since he was negotiating the marriage of his son with the titular Latin empress of Constantinople, Catherine of Courtenay. Still, the synodal act infringed an imperial right which was previously recognized. Arsenios too had claimed power over imperial marital practices. See above, n. 87.

Michael IX, Andronikos II asked the patriarchal synod to repeat what it had done twenty-two years earlier in the case of his own imperial coronation in 1272, namely issue an official synodal decision which would place under excommunication any future rebels and conspirators for breaking their oaths of allegiance. The synod declined.[165] The opposition of the church on this matter had never been expressed so openly. And although Andronikos II managed during the second half of his reign to persuade the synod to approve such political excommunications, late Byzantine churchmen continued to defend their right not to excommunicate anyone under compulsion.[166] In the mid fourteenth century, the patriarch Philotheos (1353–54/5, 1364–76) wrote a special legal treatise in which he declared this practice to be both un-Christian and illegal.[167]

Andronikos II himself added to the new confidence of the church and paved the way for the rise of Athanasios. He did so not only by choosing the zealous monk reputed for unbending strictness to be patriarch, but mostly through imperial policies, concessions to the church, and ideas floated in court rhetoric. Quite telling in this respect is Andronikos II's reaction to the opposition of the synod after Michael IX's coronation in May 1294. Infuriated, the emperor took revenge by accusing the bishops of practicing simony. The acquisition of spiritual authority through money was outlawed by the canons of the church. Yet imperial legislation of the eleventh and twelfth centuries had officially sanctioned the custom whereby newly ordained clerics gave gifts and coins to the bishops after their ordination.[168] In disregard of previous imperial laws Andronikos II promulgated a novel which placed simony under a complete ban and forced the bishops of the

[165] Pachymeres II.iii, 233 (Laurent, *Regestes*, 1563). For the case of Andronikos II's own coronation as co-emperor in 1272, see Pachymeres I.ii, 415 (Laurent, *Regestes*, 1395).

[166] Andronikos II and Andronikos III forced the church several times to pass such "political excommunications." See Gregoras I, 279 (an. 1318–19; Darrouzès, *Regestes*, 2091); 319 (an. 1321; Darrouzès, *Regestes*, 2103); H. Hunger et al., *Das Register des Patriarchats von Konstantinopel*, vol. 2 (Vienna, 1995), no. 110, 94–104 (an. 1337; Darrouzès, *Regestes*, 2180).

[167] Rhalles-Potles, vol. 5, 127–30. Philotheos addressed this brief legal treatise to Constantine Harmenopoulos, the lawyer from Thessaloniki. Here the patriarch responded to a collection of examples gathered by Harmenopoulos, showing that the church had agreed in the past to excommunicate the emperor's enemies.

[168] The imperial laws were promulgated by Isaac I Komnenos and Alexios I Komnenos. See Zepos, JGR, vol. 1, 275–76, 311–12. Cf. E. Herman, "Das bischöfliche Abgabenwesen im Patriarchat von Konstantinopel vom XI. bis zur Mitte des XIX. Jahrhunderts," OCP, 5 (1939), 457–60. It is interesting that in his *Syntagma* Matthew Blastares listed the canonical prohibitions of simony as well as the laws permitting customary payments at ordination, but ignored the novel of Andronikos II. See Rhalles-Potles, vol. 6, 509–15. We know, however, that the novel of 1294 was recognized in the late fourteenth century. See MM, vol. 2, 114, 294.

patriarchal synod to confirm the law through their signatures.[169] The novel was meant to strengthen imperial authority in the church, since it legislated that the emperor was to be a member of the electoral committees of episcopal elections.[170] In addition, the prohibition of simoniac practices sapped valuable resources from the bishops. Paradoxically, however, the novel broached an item on the agenda of the ecclesiastical reforms of Arsenios and Athanasios.

A genuinely pious man, Andronikos II displayed symbolically his reverence for churchmen and allegedly always stood in their presence.[171] In 1294 at the ordination ceremony of Patriarch John XII Kosmas, the successor of Athanasios after the latter's first term in office, the emperor handed the newly elected patriarch not only the bishop's staff, which was the custom at the patriarchal ordination, but also a special double-branched candelabrum (*dibamboulon*). The account of Pachymeres creates the impression of an innovation in ceremonial.[172] This was a politically significant gesture, for this double-branched candelabrum was also a symbol of imperial authority. In the middle of the fourteenth century a special palatine official carried the *dibamboulon* beside the emperor at church ceremonies on dominical feasts.[173] Yet we also know that in the late Palaiologan period the same double-branched candelabrum became also an attribute of the patriarch of Constantinople.[174] The possible meaning of Andronikos II's gesture in 1294 can be further understood in light of canonical commentaries on

[169] Pachymeres II.iii, 225.16–23; Zepos, JGR, vol. 1, 522, where the relevant passage by Pachymeres is quoted. See Dölger, *Regesten*, 2159; Laurent, *Regestes*, 1563.

[170] See above, n. 23.

[171] The sources disagree about the exact rank of the ecclesiastics in front of whom the emperor was in the habit of standing. Pachymeres (II.iii, 155.20–21) mentions that Andronikos II stood in front of the monks Galaktion and Makarios, who had been blinded by the order of Michael VIII. Metochites in his first imperial oration (Cod. Vindob. phil. gr. 95, f. 92 v.) speaks of the emperor standing in front of bishops. Lampenos, *Encomium*, 71.4–11, notes that the emperor stood in front of priests and confirmed this practice by a legal enactment. The latter comment may be something more than rhetorical exaggeration. In the preamble to an imperial ordinance issued in 1065, the emperor Constantine X Doukas (1059–67) wrote that he honored priests by standing while they were seated. See Rhalles-Potles, vol. 5, 275–76 (Zepos, JGR, vol. 1, 276–78).

[172] Pachymeres II.iii, 207.26–27: ἀλλ' ἐκεῖνος, τὴν ποιμαντικὴν βακτηρίαν λαβὼν παρὰ τοῦ κρατοῦντος, ὡς εἴθιστο, τιμᾶται καὶ διβαμβούλῳ. In the episode of Arsenios' resignation from the patriarchate in 1260, Pachymeres I.i, 163.21–24, referred to the patriarchal candelabrum simply by the generic name λαμπαδοῦχον.

[173] Pseudo-Kodinos, 190.5–7, 191.10–11, 198.5, 356.21–22 (the last reference is to the protocol of the coronation of Manuel II Palaiologos). This large candelabrum has to be distinguished from the small two- or three-branched candelabra (*dikerion* or *trikerion*) which bishops in the Orthodox church still use. See Dagron, *Emperor and Priest*, 260, n. 53.

[174] V. Laurent, *Les Mémoires du grand ecclésiarque de l'Église de Constantinople Sylvestre Syropoulos sur le concile de Florence (1438–1439)* (Paris, 1971), 188, 238; Darrouzès, *Recherches sur les OFFIKIA*, 574.

the symbolism of the candles which the patriarch and the emperor carried in church services. In his treatise "On the Privileges of the Patriarchs" Balsamon remarked that the large candles of the emperor were surrounded with two gilded circlets which symbolized his authority over people's souls and bodies, while the simpler one of the patriarch corresponded to his power over souls alone.[175]

In July 1302 Patriarch John XII Kosmas resigned after a scandal. At first, Andronikos II was inclined to select an Arsenite for patriarch and thus heal the long-standing schism in the church. But then he suddenly changed his mind as he witnessed how the monk Athanasios miraculously predicted an earthquake. With great pomp he led the synod to the Constantinopolitan monastery of Xerolophos in which Athanasios resided and declared him to be the new patriarch.[176] Athanasios was at the time a man in ill health and poor vision approaching his seventies. Having had the experience of his unsuccessful first patriarchate, Athanasios wanted to assure himself of the emperor's backing. He drafted a special written promise which the emperor was to give to the church and the new patriarch. This remarkable document enunciated the central practical and ideological concerns which were to occupy him during his second patriarchate.[177] Restoring justice in the empire was the patriarch's foremost goal, and for this Athanasios needed Andronikos II's support. The emperor promised to help Athanasios to enforce strictly the ecclesiastical laws and that he himself would observe the principles of justice.[178] The patriarch formulated in stunningly strong language the position of the emperor vis-à-vis the church. Andronikos II promised to maintain the church "completely unfettered and free (*eleuthera*)"; in addition, he professed his "servile submission" to the church by agreeing to yield to its "lawful and God-pleasing wishes." The emperor's commitment to the well-being and prosperity of

[175] Rhalles-Potles, vol. 4, 545. Balsamon stressed the difference (αἱ λαμπάδες μὲν τῶν βασιλέων διττοῖς διαχρύσοις περιζωννύονται στεφανώμασι, τῶν δὲ πατριαρχῶν καὶ τῆς αὐτοκρατορίσσης ἑνὶ κατακυκλοῦνται θριγγώματι).

[176] Pachymeres II.iv, 393–405. The patriarchal election had little to do with the traditional procedures. Pachymeres presents this episode with great sarcasm. Athanasios had pronounced an intentionally ambiguous prophecy, and in fact he had predicted no earthquake. Andronikos II then asked the synod to approve the unknown seer as candidate for the patriarchate, without revealing his identity. This was the first episode in a series when the patriarch enjoyed the full favor of the emperor.

[177] V. Laurent, "Le serment de l'empereur Andronic II Paléologue au patriarche Athanase Ier, lors de sa seconde accession au trône oecuménique (Sept 1303)," REB, 23 (1965), 125–39.

[178] Ibid., 137.45 ff. This meant, as Athanasios noted, the expulsion of the merchants from the temple, an allusion to his effort to drive away from Constantinople metropolitans residing there contrary to the canonical prohibitions.

the church was to be stronger than any other loyalty to family, clan, and even the imperial office itself.[179]

The ideas of the liberty of the church and the emperor's submission to the church were two key slogans repeatedly used by Athanasios. What did he mean by them? In general, the political model of Athanasios was based on a peculiar understanding of the nature of the church, its role in society, and its relations with the empire. Although Athanasios never presented his ideas coherently and systematically, a number of scattered theoretical statements are indicative of his ecclesiology. In the promissory document of 1303 Athanasios wrote that both the emperor and the church, each independently from the other, derived their power from Christ. According to the promissory document, Christ had granted the emperor his rule over the *Rhomaioi*, God's "chosen people." On his part, the emperor needed to repay Christ and Christ's other most precious creation, the church.[180] The emperor's duty to serve and take care of the church was no simple rhetoric, but was related to Athanasios' views of the superiority of the church over the emperor and the imperial office.

For one thing, the church was an eternal institution, in contrast to the imperial office. In the promissory document the ambitious patriarch wrote that Christ built "the church on a rock which will prevail against the gates of hell" (Matthew 16:18) and that Christ would be always with the church into "the ages of ages" (Matthew 28:20). While the church was an everlasting institution, Athanasios put in doubt the longevity and eschatological mission of the empire. He warned Andronikos II in one of his letters that Byzantium could fall into the hands of its external enemies (Turks and Catalans) unless it reformed itself along Christian principles and drew succor from God.[181] In another letter Athanasios continued the argument about the limited temporal scope of the empire. He wrote that the church "which would prevail against the gates of hell" was not only everlasting, but also older than the empire. Christ had created the empire only after having founded the church, and had established the empire specially so that it

[179] Ibid., 136.34–39: Ταύτην ὁμολογῶ οὐ μόνον ἀκαταδούλωτον πάντῃ καὶ ἐλευθέραν διατηρεῖν, ἀλλὰ καὶ ὑποταγὴν πληρεῖν δουλικὴν πρὸς αὐτὴν καὶ ὑποκεῖσθαι αὐτῇ παντὶ νομίμῳ καὶ θεαρέστῳ θελήματι καὶ πρὸ τῆς αὐτῆς προκοπῆς καὶ ἀσφαλείας καὶ ἐπιδόσεως οὐ παίδων, οὐ γυναικός, οὐ φιλίας, οὐ συγγενείας, οὐ πλούτου, οὐ τοῦ ὕψους τῆς βασιλείας αὐτῆς προτιμότερον κρίνω ἢ τιμιώτερον.

[180] Ibid., 136.16–25.

[181] *Correspondence of Athanasius*, no. 82, 212, where the patriarch warned the emperor that Byzantium, the New Israel, would fall into servitude to foreign powers like the old one unless it reformed its ways.

could serve and support the church.[182] Historically, of course, this was an inaccurate interpretation. The empire did not postdate the foundation of the church, but vice versa. Athanasios' remark is understandable only if we assume that he considered Constantine the Great to be the founder of the legitimately constituted empire, an empire in which the Christian religion could grow and blossom. Athanasios assigned to the church temporal as well as functional priority over the imperial office. In his *Instructive Sermon* he wrote that the coercive power of *imperium* existed only in order to maintain and support the church.[183] Athanasios' views were hardly fortuitous and were part of a broader intellectual process of rethinking the temporal and historical limits of the empire. At the same time as Athanasios saw the church as a more ancient and more long-lasting institution than the empire, Byzantine lay intellectuals (such as Theodore Metochites and before him Theodore II Laskaris) expressed a similar view: Byzantium was an example of the universal historical phenomenon of the rise and fall of states.[184] The church, however, was the human community which could never be subjugated by a foreign enemy.

The most extreme idea of Athanasios, with far-reaching implications, was his view of the church as a universalist community which encompassed and subsumed the empire. Athanasios thus moved away from the traditional dichotomy of the two powers of *imperium* and *sacerdotium* (*basileia* and *hierosyne*) – or, for that matter, the empire and the church (*basileia* and *ekklesia*). For Athanasios, the church was identical with the Christian community, and therefore the two powers of *imperium* and *sacerdotium* simply formed a part of the church. It needs to be underlined that this interpretation was not the result of ignorance of the two powers theory. Athanasios knew well and cited the traditional view. He opened his *Instructive Sermon* to Andronikos II by rehearsing the dualist theory of the two powers found in Justinian's sixth novel. He explained to the emperor that Christ had given to the community of the faithful (*hoi pisteusantes*) the principles of truth and grace, which in turn established the two powers of *imperium* and *sacerdotium* for the benefit of humankind. There was an inextricable bond between the two powers.[185] It is not surprising that in the letters where he mentioned the two powers Athanasios placed priesthood on a higher pedestal and thus adhered to the views of his favorite ecclesiastical author,

[182] *Correspondence of Athanasius*, no. 61, 138.2–7. See also the *Instructive Sermon* for a similar idea: Gennadios *Orthodoxia*, 178.2–3.

[183] Ibid., 173.13–19.

[184] Metochites, *Miscellanea*, ch. 37, 230–37; Theodore II Laskaris, "Κοσμική Δήλωσις," GdSAI, 12 (1899), 26.

[185] Gennadios, *Orthodoxia*, 173.8–9: ἐπεβραβεύθη ἡ χάρις καὶ ἡ ἀλήθεια, πάρ' ὧν τοῖς πιστεύσασι δωρεῶν ἱερωσύνη καὶ βασιλεία τὰ ἀλληλένδετα προσνενέμηται.

John Chrysostom. Like John Chrysostom, he compared the relationship between church and the empire to that between a man's soul and his body.[186] Following Photian ideas, Athanasios repeatedly called the emperor a son of the mother church.[187]

Yet Athanasios undermined the duality of the two powers by making them offshoots from the single body of the church. In one of his letters to Andronikos II written during the winter of 1305–06, Athanasios noted that Christ had crowned the church with the two powers of *imperium* and *sacerdotium*.[188] Here Athanasios contradicted the scheme of Justinian's sixth novel, which mentions that Christ bestowed the two powers on humankind (*en anthropois*). What had been humankind for Justinian was the church for Athanasios. The church subsumed and encompassed the two traditional principles of power. It is curious to observe that this line of Athanasios' thought comes close to the characteristically Western and Augustinian concept of Christendom as a unitary political principle. Elsewhere in his works Athanasios elaborated further on the ecclesiological model which he had begun to construct in the letter. In his *Instructive Sermon*, written between 1306 and 1309, the patriarch repeated forcefully his demand from the promissory document that the emperor should submit to the church and its laws.[189] He gave two reasons why the emperor should obey the church. First, this was necessary so that he could ensure the salvation of his soul. The second reason was related to Athanasios' ecclesiology. The imperial office was simply a part of the church, and the church was identical with the whole of the Christian community:

> [God] granted also an imperial headdress to the church of the faithful so that we, the members of the church, as the great Peter says, may live in righteousness, piety and prudence, having renounced impiety and having shaken off in a brave fashion all the worldly desires [cf. Paul, Titus 2:12–13], accepting only the blessed hope and epiphany of the glory of Christ, the true God, and believing without any vestige of doubt that when Christ, our life, is revealed, we will be revealed in him in divine glory.[190]

[186] *Correspondence of Athanasius*, no. 95, 246.2–5.

[187] Ibid., no. 18, 46.10; no. 49, 106.37–39; no. 55, 122.4.

[188] Ibid., no. 81, 202.2–4: Χάρις κἀν τούτῳ σὺν τῇ λοιπῇ ἀγαθοπρεπεῖ θεουργίᾳ τῇ φύσει τῇ μακαρίᾳ, ὅτι τὴν ἐκκλησίαν ἱερωσύνῃ καὶ βασιλείᾳ ἁρμοζόντως κατέστεψεν.

[189] Gennadios, *Orthodoxia*, 177.34–36: Διὰ τοῦτο, ἀντιβολῶ, νήψωμεν, μάθωμεν ὑποκύπτειν τῇ Ἐκκλησίᾳ, μὴ αὐτὴν ὑποτάσσειν, ἀλλ' αὐτῇ ὑποτάσσεσθαι καὶ τοῖς ταύτης θεσμοῖς· καὶ μηδένα ἐᾶν παραβόλως ταύτης κατεξανίστασθαι. The statement is close to what Athanasios had written in the promissory document. In the *Instructive Sermon*, however, he turned what he had called "lawful wishes of the church" into the "laws of the church."

[190] Ibid., 178.2–9: Οὔ γε χάριν τῆς τῶν πιστῶν ἐκκλησίας [ms. τῇ τῶν πιστῶν ἐκκλησίᾳ] καὶ βασίλειον ἐχαρίσατο κρήδεμνον· ἵνα οἱ τῆς ἐκκλησίας, ὅ φησι Πέτρος ὁ μέγας, ὡς τὴν ἀσέβειαν ἀπαρνησάμενοι, δικαίως καὶ εὐσεβῶς καὶ σωφρόνως πολιτευώμεθα, τὸν ὄχλον τῶν

The statement contains ideas of Athanasios with which we are already familiar. Athanasios repeated here his view that the reason for the existence of imperial power was to help the church to fulfill its mission of Christian salvation. The church was the entire community of the faithful, including both laymen and the priestly hierarchy. This universalist view of the church appears to derive from the New Testament, which uses the word *ekklesia* with the all-inclusive meaning of the Christian congregation. Yet Athanasios proceeded a step further than the holy scriptures. The relationship between *ekklesia* and empire was not discussed in the New Testament. Nor did any Greek father of the church conceive of *ekklesia* as a unitary political principle which subsumed the empire and the power of *imperium*. Now the empire became the secular arm of the church – in Athanasios' own words, the "crown" or "the imperial headdress" of the church.

It is noteworthy that in the *Instructive Sermon* Athanasios invoked the figure of the apostolic founder of the church, Saint Peter, just as he had done in the promissory document. In the promissory document Athanasios made an analogy between Peter's mission of building the church and his own efforts to rebuild and strengthen the church, which he considered to be in a state of decline and overtaken by uncanonical practices. In his letters Athanasios, too, compared himself to Saint Peter, and his source of inspiration may have been the papal Petrine doctrine.[191] The Petrine theory was well known to Byzantine ecclesiastics from polemical exchanges with the Latins. Athanasios himself was a well-traveled man outside the boundaries of the empire. It is ironic, therefore, that in his *Instructive Sermon* Athanasios attributed to Peter words which actually came from the mouth of Saint Paul in his epistle to Titus. This confusion, which most likely resulted from citing from memory, is not fortuitous and suggests that Saint Peter indeed loomed large as a model for the ecclesiastical reforms of Athanasios.

κοσμικῶν ἐπιθυμιῶν ἀνδρικῶς ἀποτιναξάμενοι, μόνην τὴν μακαρίαν ἐλπίδα καὶ ἐπιφάνειαν τῆς Χριστοῦ τοῦ ἀληθινοῦ Θεοῦ προσδεχόμενοι δόξης, πιστεύοντας ἀδιστάκτως, ὡς ἡνίκα φανερωθῇ Χριστός, ἡ ζωὴ ἡμῶν, καὶ ἡμεῖς σὺν αὐτῷ, ἐν δόξῃ θεοπρεπεῖ φανερωθησόμεθα. On the meaning of κρήδεμνον as "headdress" or "hood," see *Suidae Lexicon*, ed. A. Adler, vol. 3 (Leipzig, 1933), 186. In one of his sermons John Chrysostom (PG, vol. 62, col. 110) described it as the headdress worn by women.

[191] *Correspondence of Athanasius*, no. 61, 140.29–32. The author of Athanasios' *vita*, his close associate Theoktistos the Studite, called the patriarch a New Saint Peter. See Papadopoulos-Kerameus, "Zhitiia dvukh Vselenskikh patriarkhov," 10–11. The tendency of Athanasios to make Petrine claims has already been noticed by Evelyne Patlagean, according to whom papal political ideas inspired Athanasios. See E. Patlagean, "Du côté de Byzance: Chrétienté et modèle des deux pouvoirs aux XIII^e–XIV^e siècles," in S. Gensini (ed.), *Vita religiosa e identità politiche: universalità e particolarismi nell'Europa del tardo medioevo* (Pisa, 1998), 567–68.

Closely related to the idea of the temporal and functional superiority of the church over the imperial office is the second ideological slogan raised in the promissory document of 1303: that of "liberty of the church." In this case the patriarch understood *ekklesia* restrictively as the clergy and the clerical hierarchy. Liberty of the church (*libertas ecclesiae*) was a characteristically Western political idea. It had been the battle cry of the reformist Gregorian papacy during the eleventh century, and by the late medieval period had established itself in the ideological vocabulary of the papacy. As Gerd Tellenbach has shown in his classic study, the concept of ecclesiastical freedom resulted from the fusion of traditional scriptural ideas of freedom and medieval legalistic conceptions of *libertas* as privilege. For the reformist papacy, freedom of the church meant its independence from secular authorities and its position of leadership in the world.[192] Byzantine ecclesiastics had the opportunity to become acquainted with the papal concept of ecclesiastical liberty in letter exchanges on the ever-present subject of the union. In a letter dating to 1232 and addressed to the patriarch of Constantinople in Nicaean exile Germanos II, Pope Gregory IX (1227–41) castigated the Byzantine church for having become a slave to temporal power and for having forfeited the "privilege of ecclesiastical liberty."[193] One may never know with certainty whether papal ideas inspired Athanasios to employ the concept of the liberty of the church in a domestic Byzantine context. No Byzantine ecclesiastical author before Athanasios is known to have made political use of this idea. Yet it is possible to demonstrate that Athanasios arrived at the notion of ecclesiastical liberty by a similar conceptual trajectory as that in the West, that is, on the basis of the scriptures and the understanding of "freedom" as privilege.

The New Testament presents various definitions of liberty, such as correct belief, piety, and freedom from sin.[194] In the language of the Byzantine imperial administration the meaning of the word freedom (*eleutheria*) was rather different; *eleutheria* referred to freedom from taxation, that is, the status of exemption from the imperial fiscal apparatus.[195] Among the scriptural definitions of liberty a passage from the letters of Saint Paul to the

[192] G. Tellenbach, *Church, State and Christian Society at the Time of the Investiture Contest*, trans. R. Bennett (Oxford, 1940), *passim*, esp. 1–37, 183–85. See also Ullmann, *Growth of Papal Government*, 294 ff.

[193] See the letter of 26 July 1232 in Mansi, *Sacrorum Conciliorum Nova et Amplissima Collectio*, vol. 23, repr. edn. (Graz, 1961), 55–60. Cf. A. Potthast, *Regesta pontificum Romanorum*, vol. 1, repr. edn. (Graz, 1957), no. 8981. On the papal–Nicaean negotiations of 1232–34 see Gill, *Byzantium and the Papacy*, 64–72.

[194] See Paul, Romans 6:18–22, 7:21; I Corinthians 7:21–22; I Peter 2:16–17.

[195] A. Kazhdan, "The Concepts of Freedom (eleutheria) and Slavery (duleia) in Byzantium," in *La notion de liberté au Moyen Age: Islam, Byzance, Occident* (Paris, 1985), 215–26.

Galatians (4:25–26) strongly influenced Athanasios. Here the apostle made a comparison between the earthly city of Jerusalem, old and enslaved, and the new, heavenly, and free Christian Jerusalem. Already in late antiquity Greek patristic authors identified the heavenly Jerusalem with the church, although they did not elaborate on how the church as the heavenly and free Jerusalem fits into the political ordering of society.[196] Interestingly, court rhetoric under Andronikos II first formulated during the 1280s the concept of the free church and thus anticipated the ideas of Athanasios. In 1283 Gregory of Cyprus praised Andronikos II for having rebuilt the new Jerusalem, that is, the church. His student Nikephoros Choumnos noted shortly thereafter that the emperor restored to the church the original freedom which had disappeared during the reign of the unionist emperor Michael VIII.[197] These rhetorical statements advertised a new imperial attitude to the church and reflected opinions current at the time. Athanasios was to take the rhetorical concept of freedom of the church seriously and to dress it with substance. At an unknown date after composing the promissory document, Athanasios addressed a special letter to Andronikos II dealing with the subject of ecclesiastical liberty. He alluded to the passage from the Pauline epistle on the new and free Jerusalem (that is, the church), and threatened to resign should Andronikos II decline to maintain the church's freedom.[198] Although Athanasios did not specify what he meant in practice by the freedom of the church, he used the concept as a synonym for his reformist agenda.

The concept of church liberty had in fact tangible practical meaning for Athanasios. First and foremost, "freedom of the church" meant ridding the ecclesiastical hierarchy of uncanonical practices. In two letters to Andronikos II Athanasios noted that strict observance of the canons would make the church free. He specifically pointed to the unlawful presence of provincial bishops in Constantinople, and urged the emperor to drive them away.[199] Thus, "freedom of the church" was a slogan directed against

[196] Eusebios of Caesarea, *Commentaria in Psalmos*, PG, vol. 24, col. 37C; John Chrysostom, *In epistolam ad Galatos commentarius*, PG, vol. 61, col. 662.

[197] Gregory of Cyprus, PG, vol. 145, col. 403A; Nikephoros Choumnos, AG, vol. 2, 54: καὶ ταύτην πρώτην ἐλευθερίαν ἡ ἐκκλησία τοῦ Θεοῦ λαμβάνει.

[198] *Correspondence of Athanasius*, no. 57, 126. The letter is undated: see Laurent, *Regestes*, 1701. Significantly, the title of the letter, added by another hand, runs: "a letter to the emperor about the church of Christ enjoying freedom." The unknown interpolator may have been a close associate of Athanasios. See *Correspondence of Athanasius*, XXXVII.

[199] *Correspondence of Athanasius*, no. 62, 144.2–4: οἷα τοῖς νόμοις καὶ τοῖς κανόσι δοκεῖ τοῦ ἐλευθεριάζειν τὴν ἐκκλησίαν καὶ εὐτακτεῖν, πρώτως αὐτὴν εὐτακτοῦσαν καὶ ὅροις ἰδίοις ἱστῶσαν ἀρκεῖσθαι. See also ibid., no. 66, 156.70–74, where Athanasios mentioned that the neglect of church buildings was an infringement of the freedom of the church. A similar connection between freedom

those bishops who abandoned their flock in the aftermath of the Turkish conquests in Asia Minor and a call for restoring the proper order in the ecclesiastical hierarchy. The understanding of ecclesiastical freedom as observance of the canons also emerges from a synodal document of 1312, which together with an imperial chrysobull issued at the same time gave the patriarch of Constantinople the new right to appoint the *protos* (monastic governor) of Mount Athos. The document stated that the monks on the Holy Mountain would be truly free if they learned to obey the canons of the church.[200] Athanasios was prepared to go a step further in his views of ecclesiastical liberty. In one letter addressed to the emperor he wrote that the church would be truly free when all ecclesiastical and monastic properties were exempt from imperial taxation.[201] Thus the patriarch used the fiscal understanding of the term "freedom" as tax exemption in order to expand the meaning of the concept of ecclesiastical liberty. This was a potentially revolutionary development in church ideology, as it could open the door for advocating the institutional independence of the church from the fiscal apparatus of the state. Yet Athanasios was not prepared to move in this radical direction. He displayed practical sense in his attitude to the economic well-being of the church. While defending the rights of monasteries against fiscal injustices, he agreed with Andronikos II's request that monastic lands in Asia Minor be turned into soldiers' properties.[202] Thus Athanasios considered the military defense of the empire to be a priority over the economic independence of the church. Indeed, Athanasios' view of ecclesiastical freedom as an economic one had no lasting impact beyond his times. When in the later fourteenth century Nicholas Kabasilas attacked the confiscation of church lands by the imperial authorities, he did not invoke the church's freedom, but spoke in traditional legalistic terms of the inalienability of private property.[203] In contrast to the medieval papacy, Athanasios lacked the ambition to put into practice the idea of church liberty as institutional liberty. Both political expediency and the

and observance of the canons also appears in the reformist ordinance of Arsenios: Rhalles-Potles, vol. 5, 547: μᾶλλον δὲ τῆς Σιμωνιακῆς κακίας ἐλευθεριάζουσαν.

[200] *Actes du Prôtaton*, no. 11, 247.104–105: Εἰδὼς γὰρ ὡς πᾶσα ἡ κατ' ἀρετὴν ἐλευθερία οὕτως ἂν σχοίη καὶ μέντοι ἐλευθερία, εἰ ἐκ τῶν ἱερῶν ὑπάρξοι κανόνων.

[201] *Correspondence of Athanasius*, no. 69, 172, esp. ll. 182–83: εἰ οὖν θελήσει ἡ ἐκ Θεοῦ βασιλεία σου ἔχειν τὴν ἐκκλησίαν Χριστοῦ ἐλευθέραν αὐτῆς τὴν ἐλευθερίαν. Laurent, *Regestes*, 1614, dated the letter to 1304–05.

[202] Pachymeres II.iv, 425–427. See Laiou, *Constantinople and the Latins*, 119. This episode occurred early in Athanasios' second patriarchate. The patriarch sent the emperor an olive branch which symbolized approval of the fiscal measure.

[203] I. Ševčenko, "Nicolas Cabasilas' 'Anti-Zealot' Discourse: A Reinterpretation," DOP, 11 (1957), ch. 10, 94–95.

ideal of unison of the two powers made this path of thinking and action an impossibility.

The conceptions of the universality and freedom of the church help us to understand the zeal and sense of entitlement with which Athanasios undertook the reform of the embattled empire. The identification of the church with the entire Christian community (of which the imperial office and the empire were only a part) meant that the patriarch, as head of the church, had the right to reorder society in accordance with his ideas and to appropriate rights of the secular authorities. It was this ideological frame of mind which moved Athanasios to draft an imperial novel dealing with both secular and religious matters. Athanasios noted in his *Instructive Sermon* that the principle of justice was embodied not only in the canons, but also in civil laws and the principles of the Holy Gospels.[204] The emperor had the dual duty of submitting to the laws (civil and ecclesiastical) and of helping to implement them. Sadly, according to the patriarch, the emperor's subordination to church laws was an unfulfilled ideal. Athanasios painted a grim picture of how emperors had traditionally handled the church: not in the proper way, but instead trampling its laws underfoot and imposing their own will as the law.[205] Then the patriarch undertook a long tirade against simoniac practices in the church, which the emperor was reluctant to uproot.[206] All this, of course, was an admission that the emperor had great executive powers in church administration, yet he was obliged to use them in accordance with the laws. Further on in the sermon, Athanasios turned his attention to rampant injustices in the secular world, such as the high price of grain and the violent conduct of underpaid soldiers, and urged the emperor to action in this matter as well.[207]

For Athanasios the church was the natural leader in social reform, because it was better positioned than the empire to solicit the divine support necessary for people's salvation, both in this world and in the next. In the same way as the biographer of Arsenios stripped the emperor of his priestly aura, Athanasios deprived the empire of its eschatological mission. The eternal church came to replace the eternal empire – the fourth world empire of the Book of Daniel (see above, chapter 2, 103). The hierocratic political vision of Athanasios was no isolated development or ephemeral flicker which fizzled out after he resigned in 1309 from the patriarchate. Athanasios left his mark

[204] Gennadios, *Orthodoxia*, 179.11–13: οὐδὲ γὰρ ξένην καταναγκάσεις βαδίσαι ὁδόν, ἀλλ' ἣν καὶ κανόνες καὶ νόμοι καὶ ἡ θείων Εὐαγγελίων πυκτὶς ἐκ μακροῦ τοῖς θελοῦσιν ζῆσαι ὀρθῶς καὶ καθυπέδειξε.

[205] Ibid., 173.24–174.6. [206] Ibid., 174–76. [207] Ibid., 178–79.

both on ecclesiastical rhetoric and on an important new promissory document which emperors began to sign on the day of their imperial anointment and coronation. Athanasios' contemporary and close associate, Theoleptos of Philadelphia (ca. 1250–1322), embraced similar reformist ideas with hierocratic overtones. Theoleptos was a prominent figure in the spiritual revival in late Byzantium; he wrote discourses on monasticism and taught monastic practices to the great Hesychast theologian Gregory Palamas.[208] As we noted, Theoleptos of Philadelphia shared with Athanasios a similar career path. A monk and an enemy of the Union in his youth, he became metropolitan of the city of Philadelphia in Asia Minor in about 1283–84 and enjoyed the support of Andronikos II and his *mesazon* Nikephoros Choumnos.[209] Like Athanasios a staunch anti-Arsenite, Theoleptos did not accept the appointment of the Arsenite John Tarchaneiotes in 1297–98 as general in Asia Minor. After Tarchaneiotes carried out a far-reaching land reform, Theoleptos capitalized on the discontent of the dispossessed landowners, confronted the general, and forced him to abandon his post.[210] The powers of the metropolitan of Philadelphia rose significantly in the first decade of the fourteenth century as the city lost land contact with the rest of the empire and was surrounded on all sides by the newly emerged Turkish emirates. Theoleptos maintained the spirit of resistance among the populace, organized the distribution of food in the besieged city, and when necessary conducted negotiations with the Turks.[211] He had strained relations with the imperial governor of the city. An eyewitness wrote that during the Turkish siege of Philadelphia in 1310–11 Theoleptos snubbed the military commander of the city and demanded that troops obey the metropolitan.[212] And when Theoleptos learned of the official declaration

[208] For a biography of Theoleptos see A. Hero, *The Life and Letters of Theoleptos of Philadelphia* (Brookline, MA, 1994), 11–20. On the connection between Theoleptos and Palamas, see J. Meyendorff, *Introduction à l'étude de Grégoire Palamas* (Paris, 1959), 30.

[209] As a special favor to Philadelphia Andronikos II elevated its ecclesiastical status from that of simple bishopric into that of metropolis. See Rhalles-Potles, vol. 5, 491. Theoleptos was the spiritual father of Choumnos' daughter, Eirene Choumnaina Palaiologina, wife of Andronikos II's son John Palaiologos.

[210] On the confrontation between Theoleptos and John Tarchaneiotes see Pachymeres II.iii, 287–89.

[211] For the siege of 1304 see the information of Gregoras I, 221. For the siege of Philadelphia in 1310–11, see Nikephoros Choumnos' epitaph on Theoleptos: AG, vol. 5, 227–31. On the date of the siege, see H. Ahrweiler, "La région de Philadelphie au XIV^{e} siècle," *Comptes rendues des séances de l'Académie des Inscriptions et des Belles-Lettres* (January–March, 1983), 175–93.

[212] This episode occurred during the siege of 1310–11. The military governor of Philadelphia was Manuel Tagaris. The eyewitness was Manuel Gabalas (Matthew of Ephesos), who at the time served as deacon in the metropolitan church of Philadelphia. See J. Gouillard, "Après le schisme arsénite. La correspondance inédite du Pseudo-Jean Chilas," BSHAR, 25 (1944), 204.20–25; cf. S. Kourouses, *Μανουὴλ Γαβαλᾶς εἶτα Ματθαῖος Μητροπολίτης Ἐφέσου (1271/2–1355/60)* (Athens, 1972), 308–09, 312–15.

of the end of the Arsenite schism on 10 September 1310, he severed his ties with the patriarchate of Constantinople for nearly ten years. His motives appear to have been his firm stance against the Arsenites in the region of Philadelphia and his unwillingness to compromise his principles. To an imperial agent who wanted to bring him to Constantinople to stand trial, Theoleptos is said to have retorted that "it is not appropriate for the emperor to correct an erring priest."[213] This was a denial of the emperor's judicial and administrative powers in the church as *epistemonarches*, powers which his contemporary, patriarch Athanasios, recognized.

Most telling about Theoleptos' ambitions to appropriate the powers of the civil and military authorities in Philadelphia is a sermon he delivered on the occasion of a public prayer procession in the city. This homily is entitled "A Hortatory Address to the Faithful Walking in a Litany with the Holy Icons," and addresses his congregation at the time of drought. The work incites the flock to repent, and refers to a bitter conflict between the metropolitan and the civil authorities in Philadelphia.[214] Theoleptos'

[213] *Die Briefe des Matthaios von Ephesos im Codex Vindobonensis Theol. Gr. 174*, ed. D. Reinsch (Berlin, 1974), no. 62, 189.12: τὸ μὴ προσήκειν ἱερέα πλημμελοῦντα διορθοῦν.

[214] I. Gregoropoulos, *Θεολήπτου Φιλαδελφίας τοῦ ὁμολογητοῦ (1250–1322) βίος καὶ ἔργα*, vol. 2 (Katerini, 1996), 349–67, attributed this and another sermon (both found in Cod. Scorial. gr. *Φ-III-11*) to the pen of Theoleptos. While the second homily lacks a title, that of the first is: Λόγος παραινετικὸς ἐς τοὺς ἐξελθόντας μετὰ τῶν ἁγίων εἰκόνων, ὡς ἐκ προσώπου τοῦ μητροπολίτου. The two homilies are written in the manuscript by a distinct hand and appear to be the author's autograph copy, for there are revisions and deletions. For a description of the scribal hands in the manuscript, see A. Hero, *Letters of Gregory Akindynos* (Washington, 1983), XXXVII–XL. The codex may have belonged to the learned princess Eirene Choumnaina Palaiologina (daughter-in-law of Andronikos II, spiritual daughter of Theoleptos, and a nun resident in Constantinople throughout the early fourteenth century), or possibly to one of her anti-Palamite friends. See a plausible hypothesis along these lines in A. Hero, *A Woman's Quest for Spiritual Guidance: The Correspondence of Princess Irene Eulogia Choumnaina Palaiologina* (Brookline, MA, 1986), 22. The texts that occupy the last folios of the manuscript are the two homilies, four letters by Gregory Akindynos, and twenty-two epistles by Eirene Choumnaina Palaiologina. Gregoropoulos published the homilies without mentioning the existence of a long scholarly debate about their authorship. Some scholars have considered the two works to be anonymous: V. Laurent, "La direction spirituelle à Byzance. La correspondance d'Irène-Eulogie Choumnaina Paléologine avec son second directeur," REB, 14 (1956), 51, no. 4 (remarks that the information provided by the homilies fits Theoleptos' Philadelphia in every respect but the existence of a nearby river); Laurent, "Les crises religieuses à Byzance. Le schisme antiarsénite du métropolite de Philadelphie Théolepte († c. 1324)," REB, 18 (1960), 50, no. 24 (mistakenly notes that the homily refers to a siege by the Turks); Hero, *Letters of Gregory Akindynos*, XXXIX. Other scholars have cautiously attributed the texts to Theoleptos of Philadelphia: G. de Andrés, *Catálogo de los códices griegos de la Real Biblioteca de El Escorial*, vol. 2 (Madrid, 1965), 63; Kourouses, *Μανουὴλ Γαβαλᾶς*, 317, n. 3 (on the basis of similarities in the conflict described with the squabble between Theoleptos and the governor of Philadelphia, Manuel Tagaris). The two homilies reveal the following information about the metropolis of the bishop: it had an imperial residence (353), Italian grain merchants frequented the city (363), and there was a nearby river (365). None of these facts exclude the possibility of Philadelphia being the metropolis, while by themselves they are insufficient to prove it. Imperial visits to Philadelphia before 1261 are known (see Pachymeres I.i, 139–41), and Andronikos II may have visited the town during his sojourn in Asia Minor in the period 1290–93; the nearby river may have been Kogamos (which flows close by Philadelphia) or one of its tributaries; Philadelphia's commercial contacts with Italian merchants are attested. See Ahrweiler, "La région de Philadelphie au XIV^e siècle," 194–97. We cautiously attribute the authorship of the two sermons to Theoleptos.

audience appears to have consisted of common people, including soldiers, while the civil officials were conspicuously absent.[215] The metropolitan urged his listeners to mend their ways and repent, so that they could regain God's favor. He lashed out against vices such as greed, sloth, adultery, and impiety.[216] He also insisted that grain should be sold at a just price, an issue which also preoccupied Athanasios.[217] Theoleptos castigated the civil officials of the city, who did not want to participate in church services together with the common folk out of sheer snobbery, boasted a vain sense of blood nobility, and accumulated their wealth in an unlawful manner. But the high point of the sermon was the demand that his flock fully obey the metropolitan, who was both their spiritual and military leader: "I am a general; if you listen to me and obey me, you will be saved. If not, the reverse will occur. I am a shepherd [John 10:14], and if you follow me, you will find your pasture; if not, the opposite will happen."[218] These extreme words fully agree with what is known about Theoleptos' strained relations with the civil authorities in Philadelphia and his role as community leader during the sieges of the city by the Turks. In the context of the sermon, it is evident why Theoleptos spoke of himself as a general and bishop. The bishop leading his congregation toward repentance and moral reform was in the best possible position to solicit God's help, and thus could secure victory against the Turks or against natural disaster.

The consequences of the political ecclesiology of patriarch Athanasios went beyond the sphere of occasional rhetoric. In the mid-fourteenth century we find a new clause appended to the confession of faith which, by a long-standing tradition, the Byzantine emperor publicly made on the day of his coronation. The church normally requested that the emperor profess his orthodoxy at coronation in order to ensure that he would not encroach on ecclesiastical doctrine during his reign. Indeed, it had been common for

[215] Gregoropoulos, *Θεολήπτου Φιλαδελφίας . . . βίος*, vol. 2, 358.244–253, where the author engages in an extended comparison between penitents and soldiers drawn in battle order.

[216] Ibid., 356.

[217] This was the main subject of Theoleptos' other sermon to the same congregation delivered after the harvest season: ibid., 361–67.

[218] Ibid., 358.237–39: Στρατηγός εἰμι, κἂν ὑμεῖς πείθησθε καὶ ὑπακούητε, καλῶς ὑμῖν ἕξει τὰ πράγματα· εἰ δὴ μή, τοὐναντίον· Ποιμήν εἰμι, κἂν ἀκολουθῆτε, σωθήσεσθε καὶ νομὴν εὑρήσετε· εἰ δὲ μή, τοὐναντίον.

emperors during the Trinitarian and Christological controversies in early Byzantium to take sides in doctrinal disputes; the earliest known case of an imperial profession of faith at coronation dates to the accession of the emperor Anastasios I (491–518), who leaned toward the Monophysite faction.[219] The coronation practice of the emperor submitting a confession of faith to the patriarch appears to have persisted throughout Byzantine history, although the sources on it are unfortunately patchy.[220] Andronikos II made such a confession of faith in 1310 at the special demand of the Arsenites on their agreement to rejoin the church. The document has survived and is nothing more than a repetition of the Nicene creed.[221] However, in the mid-fourteenth century the ceremonial book of Pseudo-Kodinos features a significant new addition to the confession of faith. Before his coronation the emperor writes by his own hand a confession of orthodox faith, which he signs and deposits with the patriarch and the synod. After promising to observe the doctrine of the church, the emperor declares:

Likewise I promise to remain and constantly be a faithful and genuine son and servant of the holy church and, in addition, to be its *dephensor* and vindicator, to be well-disposed and philanthropic toward the subjects in accordance with the principles of reason and propriety, to abstain as much as possible from murder, mutilation, and similar acts, and to incline always toward truth and justice.[222]

[219] *Theophanis Chronographia*, vol. 1, ed. C. de Boor (Leipzig, 1883), 136; see P. Charanis, *Church and State in the Later Roman Empire: The Religious Policy of Anastasius the First, 491–518* (Madison, 1939), 10.

[220] The chronicler Zonaras (*Ioannis Zonarae epitomae historiarum libri XIII–XVIII*, vol. 3, ed. T. Büttner-Wobst, CSHB, (Bonn, 1897), 312) mentions the pre-coronation confession of faith of the emperor Michael I (811–13). Constantine Porphyrogennetos, *De Administrando Imperio*, ed. G. Moravcsik (Washington, 1967), 68.66–72, refers in vague terms to a coronation oath of the emperor, although it is unclear whether he was speaking of a regularly performed act. *Nicetae Choniatae Historia*, ed. J.-L. van Dieten (Berlin and New York, 1975), 457, reports the confession of faith submitted by the emperor Alexios III Angelos (1195–1203) at his coronation (Dölger, *Regesten*, 1628). In the late thirteenth century John Cheilas also mentioned the imperial confession of faith. See Darrouzès, *Documents inédits*, 412.1. Cf. N. Svoronos, "Le serment de fidélité a l'empereur byzantin et sa signification constitutionnelle," REB, 9 (1951), 121.

[221] See Andronikos II's *prostagma* of September 1310, which contains his confession of faith and a promise not to support any changes in orthodox doctrine, in Laurent, "Les grandes crises religieuses à Byzance," 293–95 (Dölger, *Regesten*, 2322).

[222] Pseudo-Kodinos, 253.22–254.3: Ὡσαυτῶς ὑπισχνοῦμαι ἐμμένειν καὶ διηνεκῶς εὑρίσκεσθαι πιστὸς καὶ γνήσιος δοῦλος καὶ υἱὸς τῆς ἁγίας ἐκκλησίας· πρὸς τούτοις εἶναι καὶ δεφένσωρ καὶ ἐκδικητὴς αὐτῆς, καὶ εἰς τὸ ὑπήκοον εὐμενὴς καὶ φιλάνθρωπος κατὰ τὸ εἰκός τε καὶ πρέπον, καὶ ἀπέχεσθαι φόνων, ἀκρωτηριασμῶν καὶ τῶν ὁμοίων αὐτοῖς κατὰ τὸ δυνατόν, κατανεύειν τε εἰς πᾶσαν ἀλήθειαν καὶ δικαιοσύνην. The protocol of Andronikos III's coronation as co-emperor on 2 February 1325 reported by John Kantakouzenos (I, 196–203) is identical with that of Pseudo-Kodinos, but omits the confession of faith. P. Charanis, "Coronation and Its Constitutional Significance in the Later Roman Empire," B, 15 (1941), 57–58, translated the text of the oath, although he related it, rather hastily, to the guarantee of orthodoxy which the emperor Anastasios I had been asked to make at his coronation.

The emperor's coronation promise strongly betrays the hierocratic spirit of Athanasios. As in the case of the promissory document of 1303, the emperor declared himself to be a son and subject of the church. In fact, the introduction of this new clause in the coronation promise of the emperor should be dated to the period after the second patriarchate of Athanasios, that is, sometime between 1309 and the middle of the fourteenth century, when the ceremonial book of Pseudo-Kodinos was put together. Athanasios would not have drafted the promissory document of 1303 had Andronikos II already promised to be a servant to the church at his own coronation.

The impact of the language from Photios' chapter on the patriarch in the *Eisagoge* is also evident in the additional clause to the coronation promise.[223] Yet the old formulations were placed in a new context, and now they gained a true constitutional significance. The emperor made an official and solemn promise that his rule would be a just one, and the church assumed the constitutional position of a guarantor of justice in the empire. Doubtless the emperor's coronation promise is related to the rising judicial powers of ecclesiastics. It is also noteworthy that the promise does not refer to the emperor as the church's disciplinary officer (*epistemonarches*), but as its defender (*dephensor*) and protector. This new designation of the ruler as defender and protector of the church took hold in the late fourteenth century, superseding almost entirely the epithet *epistemonarches*.[224]

This additional clause in the emperor's coronation promise established itself firmly in coronation ritual during the late Palaiologan period, and in the early fifteenth century adherents of the hierocratic thesis keenly seized on it in order to attack the emperor's position in the church. They considered the coronation promise to be a binding act, and found in it

[223] See the Photian chapter on the patriarch as cited in Matthew Blastares' *Syntagma*: Rhalles-Potles, vol. 6, 429: ὑπὲρ δὲ τῆς ἀληθείας καὶ τῆς ἐκδικήσεως τῶν δογμάτων καὶ τῆς συντηρήσεως τοῦ δικαίου καὶ τῆς εὐσεβείας λαλεῖν ἐναντίον βασιλέων καὶ μὴ αἰσχύνεσθαι. Noteworthy are the identical conceptions found in the text of the promise: ἀλήθεια, τὸ δίκαιον, and ἐκδίκησις.

[224] The title of *epistemonarches* disappears from official documents after Athanasios. In the official privileges which the church granted John V Palaiologos in 1380–82, the emperor was said to be *dephensor* of the church. See V. Laurent, "Les droits de l'empereur en matière ecclésiastique. L'accord de 1380/82," REB, 13 (1955), 16.38–39. Neither Symeon of Thessaloniki nor Makarios of Ankara (in his anti-imperial treatise) speak of the emperor as *epistemonarches*, but instead refer to him as *dephensor*. On the other hand, in his anti-Latin treatise Makarios calls the emperor both *dephensor* and *epistemonarches*. These titles signified the priestly mystique of the emperor, which entitled him to convoke and participate in church councils. See Dositheos, patriarch of Jerusalem, *Tomos katallages* (Iasi, 1692), 194–95. The title *dephensor ekklesias* appears to derive from the patriarchal office of the *ekklesiekdikos* (in Latin *defensor ecclesiae*), whose largely disciplinary duties in the Great Church had been defined by Justinian's novels. In this sense, the imperial epithet *dephensor ekklesias* was coined by analogy with that of *epistemonarches*, which originally referred to the disciplinarian officer in monasteries. See Schöll and Kroll, *Novellae*, novel 56, 311–12; novel 133, 672–74; *Basilika*, 4,1,22; 4,1,23. Cf. Darrouzès, *Recherches sur les OFFIKIA*, 323.

an additional reason why the emperor ought to submit to the church. Makarios of Ankara, for example, quoted twice in his treatise the clause of the promise, arguing that it obligated the emperor to observe steadfastly the canons of the church. (In fact, the promise as reported by Pseudo-Kodinos does not mention the canons, but speaks of justice in general.) In this opinion Makarios departed from Balsamon, who had noted two centuries earlier that the emperor was not bound to the canons.[225] For his part, Symeon of Thessaloniki claimed that since the emperor promised to be a servant of the church at the time of his anointment, he had always to act accordingly. As an example Symeon singled out the investiture of the patriarch and noted that the emperor acted as a servant of the synod on this occasion, especially when handing over the staff to the new patriarch. In Symeon's views, the real power of investing the patriarch lay with the synod.[226] In the aftermath of the Union of Ferrara-Florence (1439) the *nomophylax* of the patriarchate John Eugenikos referred to the coronation promise when attacking the unionist policies of the last Byzantine emperor Constantine XI Palaiologos. Eugenikos argued that an emperor who did not fulfill the duties of his coronation promise lacked legitimacy.[227] The coronation promise of the emperor, especially its clause stating that the emperor was a "son and servant" of the church, fostered the resistance of ecclesiastics against arbitrary imperial intervention, even if this opposition was not always a successful one.

All the hierocratic ideas that we have addressed in our analysis boil down to a simple thesis – the church enjoyed a certain degree of primacy or superiority over the imperial office. This thesis had different implications for individual ecclesiastics – they stated rhetorically that the emperor should obey the church and the canons, they claimed that priests, the true potentates on earth, granted the emperor executive power through the mystical act of anointment, and they introduced into Byzantine ceremonial a ritual derived from the Donation of Constantine. The radical notions of patriarchal superiority that sprang up during the Arsenite schism became a permanent part of Byzantine ecclesiastical thought. The ideas of Patriarch

[225] Paris, Bibl. Nat., Cod. gr. 1379, f. 98 r., f. 142 r. See Balsamon's view in Rhalles-Potles, vol. 3, 350: ὁ βασιλεύς, ὁ μὴ ἀναγκαζόμενος ἀκουλουθεῖν τοῖς κανόσι.

[226] Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, col. 440B: ὁ βασιλεὺς δὲ τὰ τῆς συνόδου ὑπηρετεῖ, ὡς Χριστὸς Κυρίου καὶ δεφένσωρ καὶ ὑπηρέτης τῆς Ἐκκλησίας καταστάς, ἐν τῷ χρίεσθαι καὶ τοῦτο καθυποσχεθείς. Cf. *De Sacro Templo*, ibid., col. 353AB, where Symeon referred to the justice clauses in the coronation promise.

[227] S. Lampros, *Παλαιολόγεια καὶ Πελοποννησιακά*, vol. 1 (Athens, 1912–1923), 124–25. Cf. J. Gill, *The Council of Florence* (Cambridge, 1959), 373.

Athanasios lived on in the special coronation promise of subjection to the church which emperors were required to give during the last century of Byzantium's history. In late Byzantium ecclesiastical claims for empowerment vis-à-vis the imperial office were persistent, fed on earlier precedents, and evolved in ever more extreme directions. The beginning of this chapter posed the question about the relation between theory and reality. As often happens, groundbreaking political ideas did not always find a practical fulfillment. Elements of the traditional theory of the emperor-priest persisted after 1204 as the emperor continued to enjoy his traditional rights in the church. At the same time, as the church gained new powers the voices which denied the emperor his priestly rights sounded louder and more frequently than ever. There was much debate and disagreement. On two occasions in the late Palaiologan period – in 1380–82 and in 1416 – the emperors saw themselves as compelled to ask the synod to confirm their customary administrative rights in the church by issuing a special document of privilege.[228] At no time earlier had the church issued privileges to the emperor.

Juxtaposing Demetrios Chomatenos' ideas voiced shortly after 1204 with those of Symeon of Thessaloniki in the early fifteenth century can serve to illustrate the momentous change in ecclesiastical attitudes which took place in late Byzantium. Following in the footsteps of the great Balsamon, Chomatenos wrote that the emperor was a "most exalted bishop," a successor of the Roman pontifex maximus, who possessed wide-ranging privileges in the church, including the right to transfer a bishop from one see to another.[229] For Symeon of Thessaloniki this opinion was unacceptable and truly scandalous. He stressed that emperors possessed no priestly power,[230] and lacking priestly power, they were stripped of important administrative rights in the church, such as their entitlement to arrange for the transfers of bishops, which Chomatenos had supported in his canonical writings. Symeon of Thessaloniki remarked that this had been the opinion of morally dishonest people. He further attacked the contemporary court practice of bishops kissing the hand of the emperor when they presented themselves

[228] The agreement reached in 1380–82 has survived, while we are informed indirectly about that of 1416. See Laurent, "Les droits de l'empereur," 14–16; Laurent, *Mémoires du grand ecclésiarque*, 102–04; Dölger, *Regesten*, 3358, 3359.

[229] Chomatenos, ed. J. Pitra, cols. 631–32, refers to the transfer of Eustathios of Thessaloniki at the behest of Manuel I Komnenos. The agreement of 1380–82 confirmed the "old privilege" of the emperor to make transfers.

[230] Symeon of Thessaloniki, *De Sacris Ordinationibus*, PG, vol. 155, col. 417AB: Καὶ ὁ μὲν βασιλεὺς τὰ τῆς ἱερωσύνης οὐκ ἔχει, οὐδὲ τὰ τῶν ἀποστόλων καὶ προφητῶν καὶ διδασκάλων χαρίσματα· μόνον δὲ ἀναγορεύεται ἅγιος τῇ χρίσει τοῦ μύρου.

for the first time in Constantinople after ordination in order to pronounce a prayer on the emperor's behalf. For the callous hands of emperors were fit for worldly life, but were not sanctified by God to bless and confirm.[231]

In addition to recapitulating a number of hierocratic ideas which had arisen during the previous two centuries, Symeon made his own contribution to the debate. Against the idea of the emperor-priest espoused by Balsamon and Chomatenos and their like, Symeon pitted the converse concept of a priest-king. In his description of the rite of episcopal ordination Symeon cited the incantation which a newly ordained bishop addressed to the Lord – "may Thy name be sanctified and Thy kingdom glorified." He then remarked that a bishop armed with the powers of sanctifying and glorifying God was the *only* true emperor and high priest.[232] Theories of imperial priesthood thus traveled full circle from the early thirteenth to the early fifteenth century to reach their mirror opposite. This transformation takes on greater proportions when set in the *longue durée* of Byzantine history. Byzantium began its historical existence with the emperor-priest Constantine the Great and witnessed the articulation of a powerful ideology of imperial priesthood during the Komnenian epoch. The empire ended its existence with the annunciation of the contrary idea of the priests as true kings. The church was destined to outlive the empire after the final fall of Byzantium in 1453, and herein lies the true significance of the hierocratic political eccesiologies which we have discussed. Late Byzantine ecclesiastics, in addition to opposing their emperors, prepared the church ideologically for its important political position as leader of the multiethnic orthodox community in the rising empire of the Ottomans.

[231] Ibid., cols. 432A–433A. Noteworthy is the reference here to the Donation of Constantine as an example of the kind of generous gift which pious emperors in the past had bestowed on the church.

[232] Ibid., col. 417B: αὐτὸς ὁ ἁγιάζων καὶ δοξάζων, καὶ μόνος ὢν βασιλεὺς καὶ ἀρχιερεύς.

Conclusion

Byzantine political thinking during the thirteenth and early fourteenth centuries presents a mixed picture of continuity and change. The imperial idea (the *Kaiseridee*) as known since the period of late antiquity was too ingrained in the minds and literary culture of the Byzantines to disappear with the fall of Constantinople to the crusaders. After 1204, traditional political rhetoric was introduced into the Nicaean state and hence was transmitted to the restored empire of the Palaiologoi. This development was in some sense natural for a state which had convinced itself, its subjects, and its enemies that it was the legitimate successor to a conquered empire. The main components of imperial ideology thus remained the same as in earlier centuries of Byzantine history, including the central tenet of the sacral nature of the emperor's authority, granted to him by God. The early Palaiologan period, especially the reign of Andronikos II Palaiologos, saw the revival of late antique models of court oratory which brought along with them an ideology dating to the period of the greatest political might of Byzantium. The old ideological constructs were now applied to an empire that had shrunk in size and had been transformed into a Balkan state.

The ideology of government in late Byzantium remained the ideology of a tax-gathering state. This ideology was expressed through the concept of imperial generosity, one of the prime virtues of the emperor, which imitated God's munificence toward humankind. Furthermore, the Byzantine imperial office claimed the right of direct dominion over all the landed resources of the state – the right to manage and redistribute at will the taxable wealth of the empire. This autocratic claim stands in stark contradiction to the notion of private property enshrined in Roman and Byzantine law. In fact, the two notions – the one of imperial entitlement and that of private property – maintained an uneasy, tension-ridden coexistence in the political vocabulary of the Byzantines. The emperor's claims of supreme rights of dominion over the taxable wealth of the state doubtless corresponded to, and served to justify ideologically, the practices of the imperial government.

The Byzantine central authority continued to collect the traditional pre-1204 taxes and introduced new levies, even as it ceded control of resources to tax-exempt members of the aristocracy and privileged foreign merchants. In fact, the exalted ideological claims of the imperial office may be interpreted as *a response* to the existence of privileged groups and centrifugal forces. The imperial office strove to assert its authority ideologically while it was losing political control over a segment of its subjects. It is no simple coincidence that the most extreme claim of direct economic dominion raised by the imperial office was in a document of 1289 pertaining to a fringe area of the empire.

While official political rhetoric continued to stress the powers of the emperor in redistributing the tax resources of the state, an important novelty after 1204 was the emphasis on individual privilege. In court oratory the ideology of government by privilege found expression in the special emphasis on imperial philanthropy, a virtue which enabled the emperor to break the laws for the benefit of individuals. Concomitantly with court oratory, chancery documents stressed the reciprocal and bilateral nature of the relationship between the emperor (the granter of privilege) and individual subjects (the recipients of privilege). In this reciprocal relationship the ideological position of imperial authority fell to its lowest point during the period of the First Civil War, as the two rival co-emperors, Andronikos II and Andronikos III, competed for political supporters by providing them with tax privileges.

The political realities in which the empire found itself after 1204 left a few, although significant, traces on official imperial ideology. The Laskarid emperors of Nicaea abandoned traditional marks of the Byzantine imperial majesty in response to the catastrophe of the fall of Constantinople. They innovated by cultivating an ideology of expansionism and militarism which rested mainly on Old Testament ideas. The experiment in the early Nicaean period with holy war ideology imported from the West was short-lived and soon gave way to traditional ideas of the Byzantines as God's Chosen People. In contrast to the Komnenoi, the Laskarids of Nicaea did not project an image of aristocratic rulership, and they placed little ideological weight on pedigree and the virtue of nobility. This in itself was an ideological reaction to the alliance between the imperial office and the aristocracy that had marked the political history of the empire during the late eleventh and twelfth centuries. By contrast, the Palaiologoi projected a public image strongly colored by aristocratic values. In addition, the Byzantine reconquest of Constantinople in 1261 led to the revival of political rhetoric about Constantinople, the city of New Rome, as the natural center of the world and the cradle of the empire. Constantinople thus reemerged as a carrier of an old ideology of imperial universalism and ecumenism. Remarkably, this ideology was now chiefly embodied in a city-symbol and its historical memory rather than being centered exclusively on the imperial office.

Continuity with the past was thus the hallmark of official imperial ideology. Yet continuity was hardly the main characteristic of independent political discussion. After 1204 the function of court oratory was not simply to add luster to ceremonies and to present an untarnished public image of the emperor. The collapse of the propaganda machine of the Komnenoi and the failure of Michael VIII's efforts to revive it emboldened rhetoricians to use the tribune of imperial panegyric for the purpose of counseling emperors and presenting specific policies to the court. This development reached its highest point during the reign of Andronikos II, a time when political and financial disasters in no way impeded the flowering of court culture. Maximos Planoudes and Theodore Metochites were the two most remarkable orators at the court of Andronikos II, who introduced distinct elements of political debate into imperial panegyric. Thus the rhetoric of public speakers reflected the changing realities imposed by internal and external crises.

The most important new development in the history of late Byzantine political thought was the significant divergence between official ideology on the one hand, and the political ideas of lay and ecclesiastical thinkers on the other. After 1204 the categories of political discussion often veered away from the literature of the mirrors of princes, which itself tended to rehearse the postulates of official ideology. As a result, old ideological attributes of the emperor came under attack. Authors such as Demetrios Chomatenos, Theodore II Laskaris and Theodore Metochites criticized the Platonic ideal of the philosopher-ruler. Theodore II Laskaris reassessed the concepts of order (*taxis*) and stability (*stasis*) as Byzantine political virtues. Instead he saw inconstancy and imperfection as permanent features of politics and, quite remarkably, argued that the ruler would govern better by arousing feelings of hatred toward himself rather than love. Theodore II Laskaris appears to have been the first late Byzantine author to consider that the empire of New Rome was subject to the law of rise and fall of states. Later, at the beginning of the fourteenth century, the imperial minister Theodore Metochites and Patriarch Athanasios also considered the imminent possibility of Byzantium's fall. While Metochites mused upon questions of the rise and fall of states, Athanasios viewed the church as the truest and most enduring human community which was capable of outliving the empire. Thus the events of 1204, coupled with the political disasters that faced

the empire in the first decade of the fourteenth century, shook deeply the confidence of the Byzantines in the eschatological mission of their empire. Another novelty in political thought in late Byzantium was the vigorous debate on tax collection which took place on the pages of treatises and letter exchanges. This debate led to the presentation of various contrary views on the rights of the imperial fisc, including a view which questioned the very existence of imperial taxation, a cornerstone of imperial administration.

It is striking that many of the new political discussions were aimed against the autocratic rights and attributes of the emperor. For example, Manuel Moschopoulos put forth the idea of governance as a social covenant which ran contrary to the theory of rule by divine right. Ecclesiastics attacked traditional conceptions of the emperor-priest and specific rights of the emperor in the church, proposing an alternative political model in which the church or its leader, the patriarch, occupied a dominant position. In this choir of anti-imperial voices, the opinions of the emperor Theodore II Laskaris stand out as an exception. Theodore II Laskaris certainly was an intellectual innovator who moved away from the moralistic spirit of the Byzantine mirrors of princes. However, his alternative model of politics bordered on a Machiavellian vision of a ruler not bound by legal and ethical limits. It is nonetheless noteworthy that his authoritarian political ideal did not take root in Byzantium, unlike, for example, the hierocratic thinking of ecclesiastics. The predominant spirit of independent political discussion after 1204 was directed against traditional ideological attributes and rights of the emperor.

The development of Byzantine political thought in the thirteenth and the early fourteenth century inevitably evokes comparisons with the situation in the immediately preceding period. Letters and culture had blossomed under the Komnenoi, as they would do again in the Palaiologan era. Yet, as Robert Browning has shown, the authoritarian regime of the Komnenian emperors in alliance with the church suppressed Platonic and Neoplatonic intellectual currents which were seen as endangering Orthodox doctrine. At the same time the church gained a great degree of control over higher education. The post-1204 intellectual climate was doubtless freer. The propaganda machine of the Komnenoi collapsed, there were fewer cases of suppression of intellectual dissent (all involving proponents of unionist pro-Latin views), and the study of Plato was revived in schools of higher learning during the late thirteenth century. The most prominent point of contrast with the twelfth century lies, however, in the new approach to classical philosophy. Byzantine intellectuals of the twelfth century, in contrast to their Western counterparts, have been viewed as reluctant or even

unable to create mental systems out of first principles; they approached the philosophical corpus of Plato and Aristotle in largely formalistic ways.[1] These characterizations certainly apply to the sphere of political theorizing during the twelfth century. Only Byzantine historians of the Komnenian era displayed remarkable independent-mindedness and criticized the authoritarian regime of the ruling dynasty through the prism of Roman constitutionalist ideas of public power – a type of criticism that continued to be addressed to the Palaiologoi as well. Our discussion has painted a very different picture of Byzantine intellectual life after 1204 insofar as political ideas are concerned. The thirteenth and early fourteenth century saw, for the first time in Byzantium since late antiquity, a turn toward independent political discussion inspired by Plato and Aristotle. Plato suddenly looms large as an authority cited in criticism of the emperor. Theodore II Laskaris and Manuel Moschopoulos used Aristotle and Plato respectively to construct new political models which were in various ways related to the current historical realities. Most strikingly, both authors questioned the traditional Roman and Byzantine idea of governance based on public institutions and each in his own way turned to a quasi-feudal political scheme. In so doing, they acknowledged that in their own society public institutions coexisted with strong, informal networks of power. It is indeed paradoxical that classical philosophy provided late Byzantine authors with a conceptual vocabulary which enabled them to bridge the gap between reality and the burdensome heritage of an anachronistic imperial ideology.

The Byzantine use of classical political philosophy parallels the sharp rise of interest in Aristotle in the West during the thirteenth century. While Byzantine authors never came to appreciate the *Politics* of Aristotle as a work of political theorizing, they were moving along the same intellectual trajectory of the creative use of the classics. One can further observe other prominent parallels with the development of Western political thought and even cases of the direct impact of Western ideas. The translation of the Donation of Constantine into Greek represents the importation of a Western text and papal political ideology. Already introduced into Byzantium during the eleventh century, the Donation of Constantine continued to be part of Byzantine law after 1204 and fueled the hierocratic claims of ecclesiastics. Cases of parallelism of thought between the Byzantine East and the Latin West are more numerous than those of direct

[1] P. Magdalino, *The Empire of Manuel I Komnenos, 1143–1180* (Cambridge, 1993), 406. Cf. R. Browning, "Enlightenment and Repression in Byzantium in the Eleventh and Twelfth Centuries," *Past and Present*, 69 (1975), 3–23.

influence. Apart from sharing a renewed interest in classical philosophy, the two sibling civilizations broached similar political topics. One of these was the concept of nobility and the issue of its true meaning and implications. In the thirteenth century the Western aristocracy, unlike the Byzantine one, was being transformed into a closed, legally defined class. The consolidation of the nobility in the West as a privileged group provoked reactions from representatives of social strata that felt excluded, such as clerics and the lower knighthood, who disputed the social meaning and implications of the word *nobilitas*. In Byzantium, by contrast, the chief opponent of the view of nobility as nobility of blood was the emperor Theodore II Laskaris, who promoted a new service elite at the expense of families of the highest tier of the hereditary aristocracy.

Another case of parallelism between Byzantine and Western thought is the novel theories of governance as a reciprocal and contractual relationship between ruler and subjects. As noted above, ideas of reciprocity worked their way into official imperial documents in late Byzantium and reflected actual ways of governance rather than representing a foreign importation. Thinkers such as Theodore II Laskaris and Manuel Moschopoulos developed the political ideal of reciprocity into full-fledged models, using the vocabulary of feudal oaths and presenting a picture remarkably similar to the feudal society of the rest of Europe. Thus while the two authors were steeped in the ancient Greek classics, they presented a model of politics that was characteristically Western, not Byzantine. Yet another parallel development between the late medieval East and West can be found in ecclesiastical political thought. Late Byzantine churchmen formulated hierocratic ideas comparable with those which had emerged in the West in earlier times. They viewed the coronation rite of imperial anointing as a source of empowerment of the church and the patriarch. In his attempts to reform Byzantine society at the beginning of the fourteenth century, the patriarch Athanasios put forth the ideal of liberty of the church – an ideal identical with the slogan of the reformist papacy during the eleventh century.

A final note must address the connection between the political ideas of Byzantine intellectuals and political reform, an issue which is especially relevant to the crisis-ridden society of late Byzantium. Court literati of the period faced, as always, the reality of living in an authoritarian regime that had the repressive apparatus to stifle political dissent. The imprisonment of Manuel Moschopoulos is an illustration of the dangers facing independent-minded Byzantine intellectuals, especially when they were implicated in a conspiracy. Yet these same intellectuals could – and did – behave audaciously in the unkind world of court politics. They used the genre of imperial encomium, traditionally geared to propagandist expression, to voice opinions on hot issues of the day. Foreign alliances and military policies were common subjects on which court orators spoke, not always in the fawning tones of earlier centuries. In addition to presenting their independent views in the context of court rhetoric, some Byzantine intellectuals went further and articulated veritable reformist ideologies. The efforts by the emperor Theodore II Laskaris during the 1250s to set up an ideological barrier to the aristocracy, whose backbone he tried to break, exemplify a close connection between political thought and political reform. The attacks on taxation by Thomas Magistros in the early 1300s present the ideological credo embraced by independent-minded urban classes, which would foment civil unrest and rebellion in the period of the Second Civil War. Magistros proposed a far-reaching reform program, whose goal was to curtail the prerogatives of central imperial authority. The hierocratic political ideas espoused by Byzantine ecclesiastics arose in a period when the institutional and judicial power of the church was growing. Ideas of ecclesiastical dominance became an ideological underpinning for the rise of ambitious churchmen such as Patriarch Athanasios and Theoleptos of Philadelphia as community leaders. Thus, despite the backward-looking heritage of the imperial idea, Byzantine political thought after 1204 did not lose contact with social reality. Political thinkers did not ignore the world around them. On the contrary, they tried to shape it ideologically in new and reformist ways.

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